



AGENDA

CITY COUNCIL MEETING

Date: July 23, 2025
Time: 6:00 pm
Location: 500 E. 2nd Ave., Mosier, OR 97040
Zoom Meeting: <https://us02web.zoom.us/j/81703341664?pwd=dtPnS0uDzKg17SqVG9fc4S42tO6ebs.1>

Meeting ID: 817 0334 1664

Passcode: 97040

+ 13602095623,,81703341664#,,,,*97040#

Find your local number: <https://us02web.zoom.us/j/81703341664?pwd=dtPnS0uDzKg17SqVG9fc4S42tO6ebs.1>

- I. Call to Order/Roll Call – Mayor Anderson
- II. Agenda corrections or additions
- III. Approval of 06.18.2025 Council Meeting Minutes
- IV. Business from the Audience - This is for Mosier residents and anyone else to express concerns, needs, or opportunities. Please keep your comments succinct and under two minutes. You may bring in written materials for the Council and Staff to review. The Chair can assign the issue to a future Council meeting, or to an appropriate Council or staff member. Please realize we cannot always offer a response immediately but will give the matter due consideration. We encourage the participation of all stakeholders in our community.
- V. BUSINESS
 - a. Verizon Cell Tower Presentation - Shanin Prusia, Urban Wireless Inc.
 - b. Approval of Resolution 2025-08 Adopting Water/Sewer Utility Rates & System Development Charges (SDC) - Monica Morris, Finance Director
 - c. 2nd Reading/Adoption: Ordinance (TBD) Limiting Liability from recreational use within the city
 - d. 2nd Reading/Adoption: Adopting Short Term Rentals (STR) amendments
 - e. Approval: remove signers & online access to Umpqua bank account – Amy Szilagyi, City Recorder
- VI. PUBLIC HEARING
 - a. Floodplain Ordinance per FEMA – Andrea Rogers, City Manager
- VII. City Updates / Reports / Upcoming Meeting Topics
- VIII. ADJOURN

Public meeting locations are virtual and accessible to persons with disabilities. Requests for interpreters, communication aids, or other accommodation must be made at least 48 hours prior to the meeting. Contact the City Recorder, by e-mail at cityrecorder@cityofmosier.com or phone 541-478-3505. Oregon Relay Service 1-800-735-2900.



MINUTES

CITY COUNCIL MEETING

Date:	June 18, 2025
Time:	6:00 pm
Meeting called to order by:	Mayor Anderson at 6:05 pm

IN ATTENDANCE

Council: Mayor Witt Anderson, Councilor Noah Estes, Councilor Lydia Koerner, Councilor Charlie Cannon, Councilor Ron Wright, Councilor Gary Lindemyer

Excused: Brenna Campbell, Noah Estes

Absent: (not excused)

Staff: City Manager Andrea Rogers, City Recorder Amy Szilagyi, Special Projects Coordinator Colleen Coleman, City Planner Dan Meader City Planner Jaime Crawford, Finance Director, Monica Morris

AGENDA CORRECTIONS/ADDITIONS: None

SUMMARY: The City Council meeting began with a presentation on Gorge Transit, which detailed the system's operations, funding sources, and future plans. The council reviewed and approved various ordinances and resolutions including a TMDL implementation plan, short-term rental amendments, and a state of emergency declaration regarding fire risks. The conversation ended with discussions about recreational immunity legislation, a community bench proposal, and updates on fire safety concerns, postal services, and legislative changes.

APPROVAL OF 06.04.2025 MINUTES: Confirmation/Addition of "in addition but not limited to" to environmental protection verbiage in Conditional Use Permit (CUP) for Skate Park.

MOTION: Councilor Wright moved to approve minutes as corrected. Councilor Koerner seconded. All in favor; none opposed; none abstained.

OPEN MEETING

Public Comment - None

1. Gorge Transit Presentation – Kathy Fitzpatrick/Emily Reed, Mid-Columbia Economic Development District

Emily Reed discusses the Gorge Pass transit system, which serves multiple counties in the Columbia River Gorge area. The system provides affordable public transportation, with buses running up to 9 times daily to Portland during summer. The program focuses on accessibility, coordination between providers, and equity, offering an Equity Fund to provide free passes for low-income residents. The annual cost of operating a car (\$10,000) is compared to the affordability of public transit. The system is funded through a combination of Federal, State, and local sources, including employee taxes and property taxes in some counties. Kathy Fitzpatrick provided updates on the Gorge Transit system, including a new transit center planned for downtown Hood River and the completion of the Lyle section connecting White Salmon to The Dalles. They also mention emergency preparedness efforts and collaboration with emergency managers. The Council and Mayor thanked both for their presentations, showing both support for the program and gratitude for their time.

2. Miles Creek Basin TMDL 5-year Implementation Plan Presentation – Andrea Rogers, City Manager

The council then reviews and approves a 5-year implementation plan for the Miles Creek Basin Total Maximum Daily Load (TMDL), which involves water quality monitoring and community outreach. The plan requires the city to take responsibility for streams both within and outside city limits. City Manager Rogers stated the city is required to update this plan every 5 years, and that City Engineer Stoner Bell assisted. The plan is like the previous plan with updates focusing on community outreach. Special Projects Coordinator, Colleen Coleman, has provided information regarding grant assistance available in order to facilitate.

- Mayor Anderson commented that the city has made commitments to the Department of Environmental Quality (DEQ) in the past and wanted to make sure we know what exactly is required of us to stay compliant.
 - City Manager Rogers stated that we are in contact with DEQ and will ensure we will stay in compliance.
- Councilor Wright expressed concerns that there were no provisions for the water temperature testing within city limits.
 - Mayor Anderson commented that this concern was brought up during the last TMDL planning session.
 - City Manager Rogers clarified Councilor Wright's concern as being: how is the city supposed to measure the impact of city water outside the city limits? Councilor Wright confirmed. City Manager Rogers will clarify this with the DEQ.

MOTION: Made by Councilor Lyndemyer to approve the letter to the Department of Environmental Quality regarding the TMDL plan. Councilor Wright seconded. All in favor; none opposed; none abstained.

3. Approval of Short-Term Rental (STR) Ordinance Amendment – Laura Westmeyer, City Attorney

The council discusses amendments to the city's short-term rental ordinance. The main changes include switching from a biennial application process to a year-round, first-come-first-serve system, and increasing the maximum availability of licenses per neighborhood from 7% to 10% of residential dwelling units. The council holds the first reading of the ordinance, with Councilor Wright moving to accept it and Councilor Lindemeyer seconding. The motion passes, and a second reading will be held at the next meeting, after which there will be a 30-day implementation period.

MOTION: Made by Councilor Wright to hold first reading, by title only, of Ordinance (TBD) adopting Amendments to the Operational Rules and Licensure Requirements for Short-Term Rentals. Councilor + seconded. All in favor; none opposed; none abstained.

4. Approval of Resolution 2025-07 Declaring a State of Emergency and Fireworks Ban – Laura Westmeyer, City Attorney

The City Council discusses and approves a resolution declaring a state of emergency due to increased fire risk, which bans fireworks for the upcoming 4th of July holiday. Councilor Koerner suggests considering a permanent fireworks ban, which the council agrees to explore further.

MOTION: Made by Councilor Lyndemyer to adopt Resolution 2025-07 Declaring a State of Emergency Due to Increased Risk of Fire. Councilor Koerner seconded. All in favor; none opposed; none abstained.

5. Approval to add/remove check signers and allow online access to the Cashmere bank account – City Recorder Szilagyi

City Recorder Szilagyi presented a letter of intent to Cashmere Bank to update the contacts and access the account. This account is used for the purpose of transferring incoming and outgoing payments for construction of our USDA Water System Update projects.

MOTION: Made by Councilor Wright approves changes to the Cashmere Bank account, including updating signers and authorizing Councilors Wright and Campbell as check signers. Councilor Lyndemyer seconded. All in favor; none opposed; none abstained.

6. 1st Reading: Ordinance (TBD) Limiting Liability from recreational use within the city/new chapter to Mosier Municipal Code - Laura Westmeyer, City Attorney

City Attorney Westmeyer presented a recreational immunity ordinance for the city council's consideration. The ordinance aims to protect the city, its employees, council members, and adjacent landowners from liability claims arising from recreational use of public lands and trails. This comes in response to a recent court case that highlighted limitations in existing recreational immunity laws. The ordinance would allow Mosier to benefit from new state legislation expanding recreational immunity protections, as cities under 500,000 residents must adopt local ordinances to qualify.

MOTION: Made by Councilor hold first reading, by title only, of Ordinance (TBD) Limiting Liability from Claims Arising from the Recreational Use of Certain Trails and Structures Within the City and Adding a New Chapter to Title 11 of the Mosier Municipal Code. Councilor Lyndemyer seconded. All in favor; none opposed; none abstained.

7. Request to Install Memorial Bench at Rock Creek Park – Anna-Louise Reysenbach, Friends of Shannon Hill

Anna-Louise proposes installing a permanent bench at Rock Creek beach in memory of Shannon Hill and providing a communal space for the community. The bench would replace temporary chairs that often get washed away. The cost of the bench and installation would be donated by Friends of Shannon Hill. The council approved Ms. Reysenbach's proposal for a community-funded bench project, with the city helping to determine suitable locations.

- Councilor Wright was concerned with the proposed bench stating the weight capacity is a concern
 - Ms. Reysenbach will investigate the issue.
- Councilor Cannon suggested clearing some brush to create a larger sitting area around the bench.
 - Ms. Reysenbach agreed with Councilor Cannon's suggestion.
- Mayor Anderson thanked Ms. Reysenbach for coming to the city for approval. He suggested a city representative visit the proposed location and offered to be that representative.
- City Manager Anderson questioned how the bench would be affixed to the ground.
 - Ms. Reysenbach stated it would be cemented to the ground and that volunteers would do the work at no cost to the city.

8. City Activities Updates/Reports:

- Mayor Anderson: Commissioner Hage's update on the adoption of the natural hazard's mitigation plan and fire safety concerns is shared.
- Councilor Wright: Expressed the need to repair a malfunctioning blinking sign at the bottom of Ponderosa and trim branches obstructing a mirror at the bottom of Husky.
- Mayor Anderson: ongoing efforts to resolve postal issues, including the installation of new mailboxes and clarifying the policy that city residents without postal routes should not be charged for post office boxes.
- City Attorney Westmeyer: briefly discussed upcoming legislative changes to the transient lodging tax and the requirement for public meetings law training.

Meeting Adjourned 7:50 pm

ACTION ITEMS:

City Manager Rogers:

- Work with Aaron Hunt to obtain FAQ document regarding the upcoming railroad siding construction
- Coordinate with Annalouise on the specific location and installation requirements for Shannon's memorial bench at Rock Creek
- Contact Tito or Glenn regarding fixing the blinking sign at the bottom of Ponderosa

City Attorney Westmeyer:

- Prepare amendment to the city's TLT ordinance to align with House Bill 3962's changes to transient lodging tax funding
- Send public meetings law training webinar link to Andrea for distribution to councilmembers

City Recorder Szilagyi:

- Follow up with the Dallas postmaster regarding mailbox installation and written policy for post office box fees for city residents
- Process the Cashmere Bank letter for account changes and signers

Scan:

Date: Sunday, July 6, 2025

From: Andrey Izquierdo, Human Rights Activist

Subject: Technology Rage and Human Traffickers

Phone: (216)-399-8491

Email: andreyizquierdo23@gmail.com

Wednesday, July 2, 2025

Dear Councilmembers,

I am writing this to you to help you be aware of a huge issue that we have in our country that has got to change immediately. Technology rape and / or sexual assault via technology is very prevalent and it intersects with so many crimes, not just sex crimes, that have been on the rise over the years in each state. It sucks the life out of the wifi and us human beings with how people have been utilizing virtual reality equipment and artificial intelligence technology. There are many consensus statistics and other numbers that do not seem to add up if you were to go check on a website right now to confirm because of the lack of reporting that is still occurring. There is still so many people who think that they can perform so many inhumane acts on lots of people and claim them as property by ignoring ALL OF THEIR RIGHTS and taking claim over ALL of their personal identification documents. These kinds of people are known as Human Traffickers. Here is an idea of what they like to do in an articles that I wrote on my website called What Human Traffickers Do:

<https://andrelynwriting.wixsite.com/website/post/what-human-traffickers-do>


This has to STOP!

I have been a sexual assault and human trafficking victim and survivor for so long that it is getting old with the same old methods that they have been using that's easily recognizable and wouldn't take much time to see in a quick observation or month-long audit of different organizations to ensure that things come to halt and eventually cease. They deny resources including through Federal Institutions that are essential to living while significantly reducing the quality of our lives. They do this in several ways. I have written an article about many event that have occurred to me to break down simply how many things can pile up to increase the amount of hardship an individual, single mother with children or dogs, or an entire family household can experience. You can find this on this website article titled Crimes That Human Traffickers Commit:

<https://andrelynwriting.wixsite.com/website/post/what-human-traffickers-do-1>

I hope that now that you have this information officially within the grasp of your hands that you consider these detrimental actions while creating and amending policies from here on out. Thank you for taking the time to read this letter. I will be continuing to try to reach you with additional resourceful information to help increase positive change within our torn communities.

Sincerely,



Andrelyn Izquierdo

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- **Bondage** - to physically restrain or hold captive a person using compulsion, manipulation, or socioeconomic sexual practices; to enslave.
 - **Beltite** - to cause (a person or thing) to seem little or less; to talk down to.
 - **Browbeat** - to intimidate or dishearten by a stern manner or arrogant speech.
 - **Bully** - to treat [someone] in a cruel, insulting, threatening, or aggressive fashion; to cause [someone] to do something by means of force or coercion.
 - **Coerce** - to compel to an act or choice.
 - **Compel** - to drive or urge forcefully or irresistibly.
 - **Defame** - to harm the reputation of by communicating false statements about.
 - **Dehumanize** - to subject someone to inhuman or degrading conditions or treatment.
 - **Deride** - to subject to usually bitter or contemptuous ridicule or criticism.
 - **Dominant** - to predominate, permeate, or characterize.
 - **Enslave** - to reduce to or as if to slavery; subjugate.
 - **Exploit** - to make use of meanly or unfairly for one's own advantage.
 - **Force** - to compel by physical, moral, or intellectual means.
 - **Grooming** - to make neat or attractive.
 - **Insult** - to effect offensively or scornfully.
 - **Harbor** - to give shelter or refuge to.
 - **Harass** - to create an unpleasant or hostile situation for, especially by unwelcome and unwelcome verbal or physical conduct.
 - **Humiliate** - to reduce [someone] to a lower position in one's own eyes or others' eyes; to make [someone] ashamed or embarrassed.
- 1- P
- **Insult** - to offend as an affront; offend or demean.
 - **Intimidate** - to compel or elicit by or as if by threat.
 - **Lie** - to make an untrue statement with intent to deceive; to create a false or misleading impression.
 - **Lure** - to induce or entice with a hint of pleasure or gain.
 - **Manipulate** - to control or play upon by craft, unfair, or insidious means especially to one's own advantage.
 - **Mock** - to treat with contempt or ridicule.
 - **Murder** - to kill (a human being) unlawfully and with premeditated malice.
 - **Obtain People** - to gain or obtain usually by planned action or effort.
 - **Oppress** - to crush or burden by abuse of power or authority.
 - **Persuade** - to harass or punish in a manner designed to injure, grieve, or afflict.
 - **Pick On** - to single out for criticism, teasing, or bullying.
 - **Pimp** - to make use of often dishonorably for one's own gain or benefit.
 - **Put Down** - disapprove, criticize.

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Q - W

- **Rape** - to commit rape on.
- **Recruit** - to fill up the number of with new members.
- **Ridicule** - to make fun of.
- **Shame** - to force by causing to feel guilty.
- **Stun** - to avoid deliberately and especially habitually.
- **Show Out** - Exclude, deny entry to, block.
- **Slander** - to utter Zensler against; defame.
- **Stalk** - to pursue every or prey steadily.
- **Taunt** - to reproach or challenge in a mocking or insulting manner.
- **Tease** - to disturb or annoy by persistent irritating or provoking especially in a petty or mischievous way.
- **Torture** - the infliction of intense pain, loss from burning, crushing, or wounding) to punish, coerce, or afford sadistic pleasure.
- **Transport** - to transfer or convey from one place to another.
- **Torment** - to cause severe usually persistent or recurrent distress of body or mind to.
- **Trick** - a crafty procedure or practice meant to deceive or defraud.

if there is another word you would like to see added onto this compilation or a word further explained, please leave a comment below.

Try to #becate
#becampowered

Bibliography:

1. **Survive Campaign**. U.S. Department of Homeland Security. Myths and Misconceptions. <https://www.dhs.gov/blogs/compliance/mythsandmisconceptions>. January 12, 2023.
2. **Dictionary.com, LLC**. <https://www.dictionary.com/>. January 13, 2023.
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4. **Reyes, Cozine**. End Slavery Now. Justifying Human Trafficking: The Mind of a Trafficker. <https://www.andrewwriting.wixsite.com/websitepost/justifying-human-trafficking-the-mind-of-a-trafficker>. January 12, 2023.

#HumanTrafficker #whattheydo #whohumantraffickersdo #actions #endDV #SixYearsandHumanTraffickingPreventionMonth #educational #resources #research #prevention #labortrafficking #drugtrafficking #sextrafficking #commercialsexacts #HumanTrafficker #DomesticAbuse #Enslavement #recruitment #victim #survivor #slavery #survivalguide #compel #coerce #force #abuse #pimp #put #trafficker #pimp #transport #force #murder #unseeninjustice #empowerment #blogger #writer #past

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What Human Traffickers Do

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This article is written by:



Andolyn Izquierdo


#AndolynWriting

<https://www.facebook.com/UnseenFrontline>

Andrelyn Izquierdo

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 [andrelynwriting](#)
Sep 9, 2023 · 4 min read

Crimes That Human Traffickers Commit

Updated: May 1, 2024

Written by Andrelyn Izquierdo.

A catalog of crimes committed by Human Traffickers along with my personal experiences.

WARNING: *This article contains sensitive content and may be found offensive or triggering to some people. It is intended for educational and awareness purposes to help victims and their loved ones to recognize signs of Racism, Harassment, Human Trafficking, Sex Trafficking, and/or Rape. Very graphic details may include explanations from my personal experiences. If for any reason you are not ready to see details of abuse, feel free to move on and come back when you are ready. It is also recommended that you view this with a friend or family member for emotional support.*

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Image by Public Domain Pictures from Pixabay.

From my experiences as well as others who I have spoken to including loved ones, things are a lot tougher to overcome against Human Trafficking and other forms of abuse while homeless. This doesn't mean that it only occurs while a person is homeless. It can happen anytime, anywhere. In any situation, there is no forgiveness nor chances given when it comes to people who are homeless. They become voiceless as people begin to spew out their excuses, rejections, or denials limiting their access to independence to thrive in life. In order for a person to increase the quality of their own life, they have to fight the barriers put up by abusive people whose main goal is to tear down their reputation and achievements. This can be completed in multiple ways.

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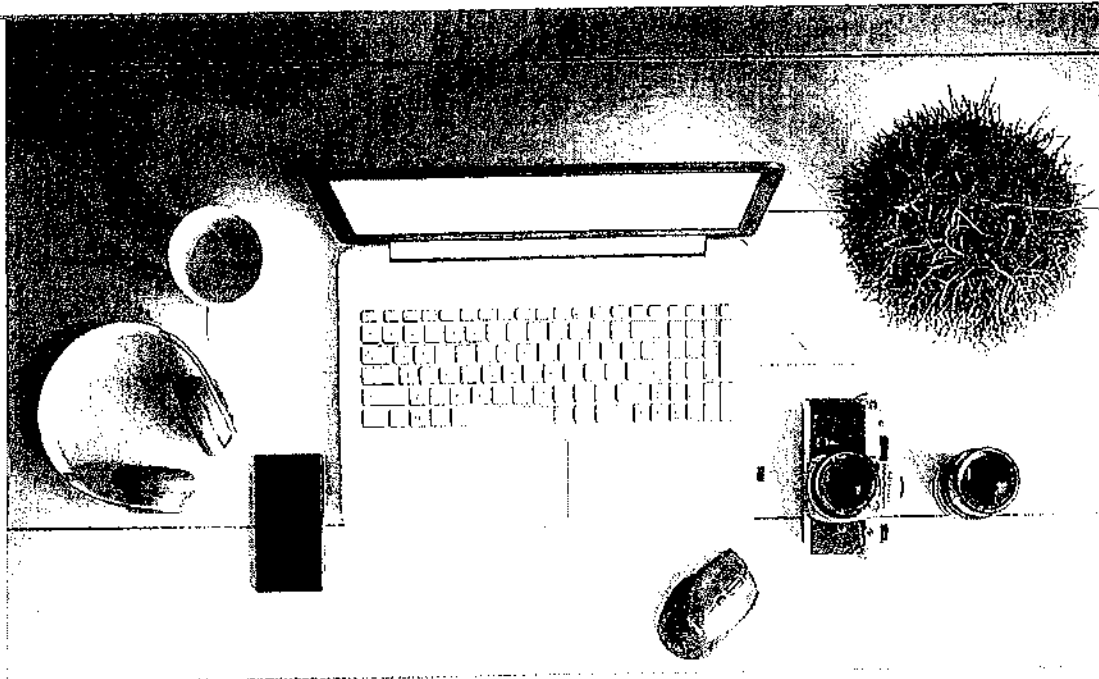


Image by Skitterriens from Pixabay.

Denying Internet Access

- Lock phones on Enter passcode screens disabling Touch ID (fingerprint access) or facial recognition.
- Disconnect Wi-Fi or disable it entirely.
- Close online accounts.
- Delete loyalty reward accounts with retail stores and other local businesses.
- Drain battery life on electronic devices.
- Deny access to online accounts with 1 month trial subscriptions to charge monthly.

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Restrictions on Transportation

- Vandalize cars, destroy car batteries slowly and quickly.
- Destroy license plate covers.
- Shut down buses.
- Take down bus stops signage.
- Increase pricing.
- Wipe out transportation cards of leftover money balances. For example: orca or metro cards.
- Infiltrate transportation security and do extra targeted checks.
- Steal bus transfers or coins from personal belongings.
- Switch out newer car model parts for older car model parts.

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Image by Myriams Fotos from Pixabay.

Deny Success / Enslaver

- Steal belongings.
- Illegal raids and delivery to hospital psychiatric wards.
- Implant metal micro needle IV's inside of the body between tissue.
- Sexual assault.
- Debt bondage.
- Threatening family every second of the entire day.
- Monitoring finances, closing bank accounts, and forcing filing of bankruptcies.
- Damaging debit/credit card strips and chips.
- Call recruiters, interviewers, and hiring managers to give out rejections for job hiring.
- Commit identity theft.
- Threatening family every second of the entire day.
- Monitoring finances, closing bank accounts, and forcing filing of bankruptcies.
- Damaging debit and credit card chips.
- Contact recruiters, interviewers, and hiring managers to give out rejections for job hiring.
- Call restaurants about requesting date rape drugs to specific orders and deliver containers of poison before the customer gets there.
- Contact businesses to manually overcharge orders / purchases.

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- Deny access to businesses, specific services, or sections of facilities.

For example: Early closures or unannounced random daily closures.

- Steal uniforms of workplaces from employees' personal belongings.
- Steal education credentials.
- Isolate the victim from family members.

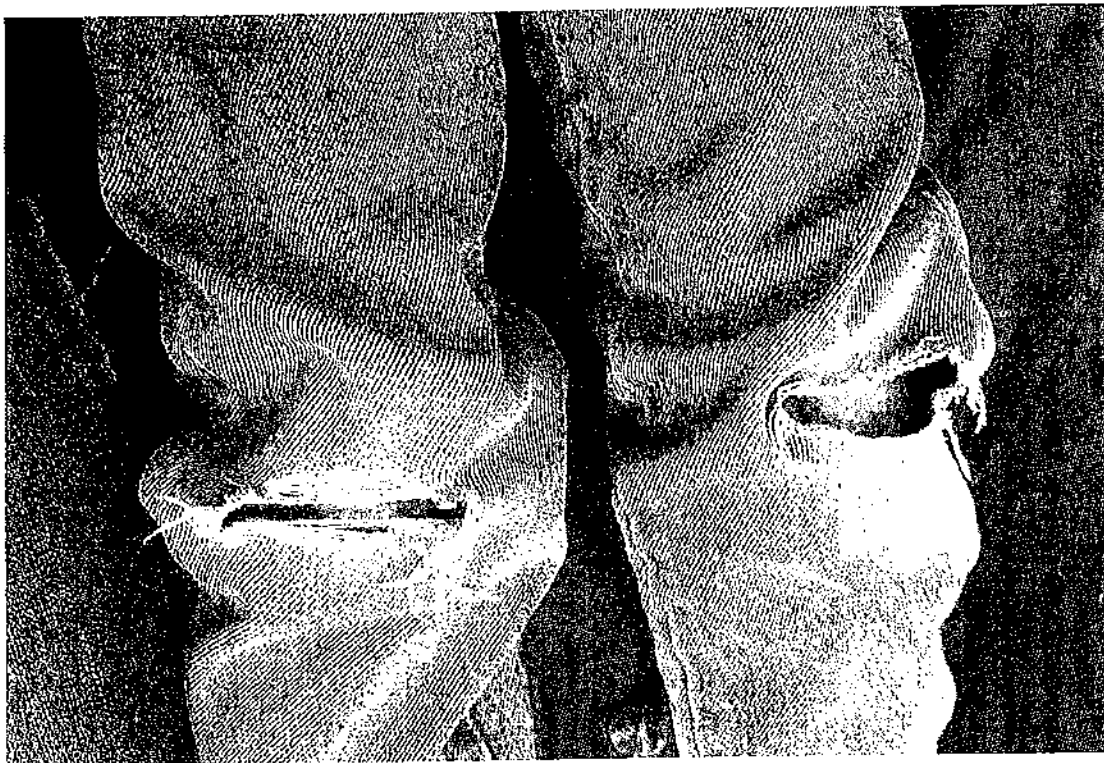
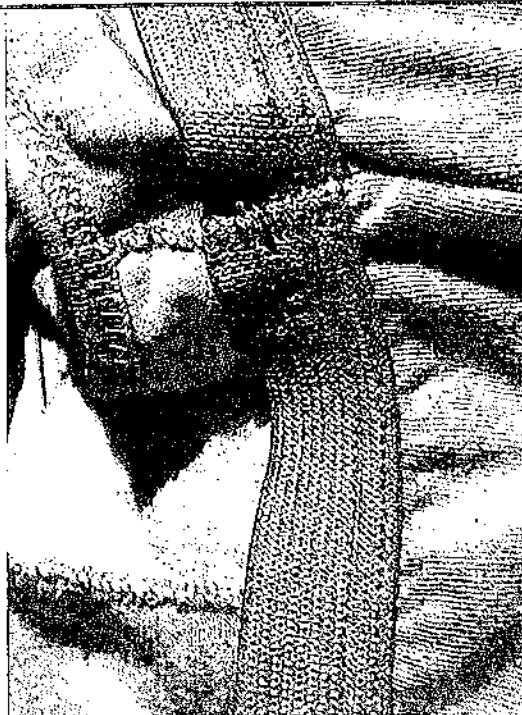


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Vandalize Clothing & Accessories

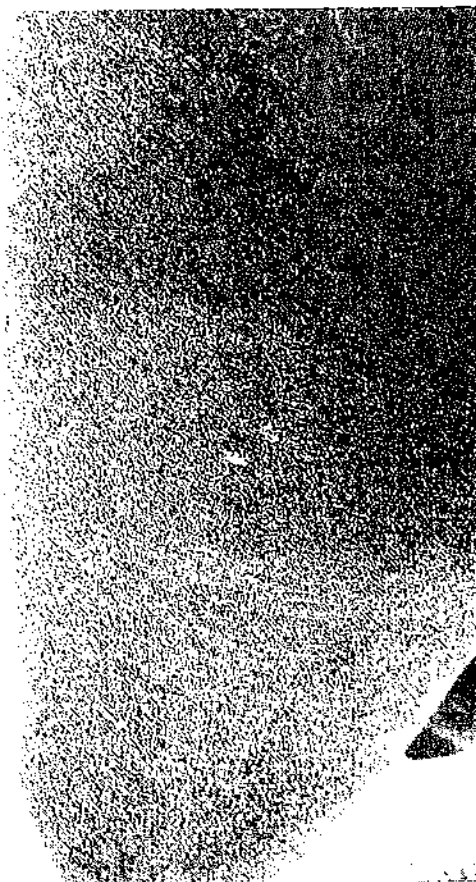
- Threading at the seams, sleeves, designs, etc.
- Adding bodily fluid stains in random areas.
- Bleaching especially around designs and lettering.
- Tearing apart and ripping clothing. This happens more to panties and leggings than other articles of clothing.
- Stretching out clothing by wearing a victim's clothing regardless of the attacker's size. This also occurs when the victim is rustled or carried around by the clothes as well.
- Removal of strings from sweatpants, jackets, hoodies, and other outerwear.



July 27

Stolen panties were returned to my room while I was away worn, torn, and threaded.

Image by Andrelyn Izquierdo.



August 2nd

My leggings had a cum stain on them after waking up.

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My navy blue jacket with cum stains that I have no idea how they got there overnight while I wasn't wearing it.

Image by Andrelyn Izquierdo.

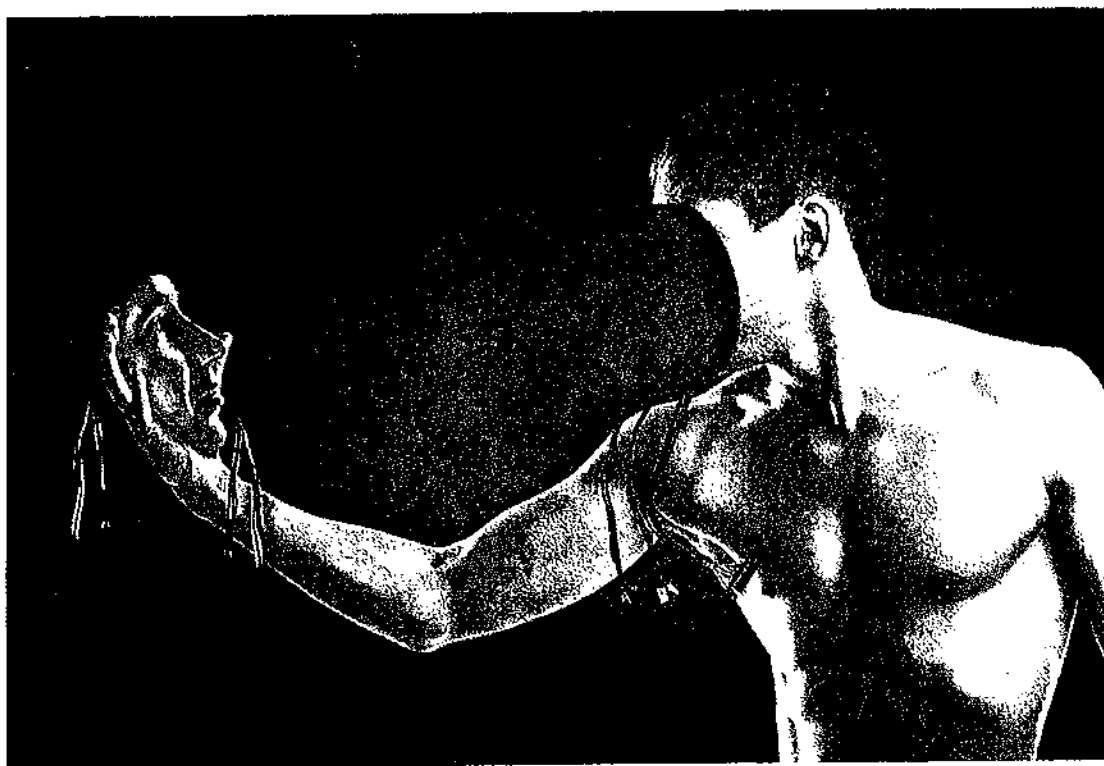


Image by 51581 from Pixabay.

Transform Humans to Robots or Sex Dolls

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- Insert screws, drills, and/or any other metal parts in or outside of the body.
- Heavily human trafficking of organs for removal.
- Implantations of snake eggs in the abdomen or uterus for snake harvesting.
- Injections of plastic, lead, mercury, date rape drugs, or more into veins or organs.
- Solidify mercury in different areas of the body to create plates during implantations.
- Using metal open-ended cog drills of various sizes along with cobra venom to create holes within the inner layers of flesh throughout the body.

Overall, it is evident that a victim is denied everything they could ever want or need by a Human Trafficker. It's more extreme than just having to compare one's life to the metaphor of pushing a boulder up the mountain. Experiencing a cluster of these layered issues all in one is like having to

253-459-4227

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Here are some reminders to take with you:

In the face of danger, choose #courage and #speakup.

Please #becareful and try to #besafe.

#LearnTheSigns

#GetEducated

#homelessness #HumanTrafficking #abuse #awareness #speakup #speakout #UnseenFortitude #empowerment #blogger #truestory

This information was gathered from friends, family, and my life experiences combined.



Inspired by my true story.

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Thank you for reading!

This article is written by:

Andrelyn Izquierdo

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**PROPOSAL
FOR NEW
SITE BY**

verizon

Presented by Shanin Prusia
Urban Wireless Inc.

- Verizon is focusing on the lack of coverage in the Gorge and communities along I-84.
- There is a significant gap in coverage in surrounding area of Mosier. All three water tanks were reviewed by engineering – Ponderosa Place provided the best coverage to the greatest area.
- There are no existing facilities in the immediate area to upgrade that would provide coverage - a new site must be constructed.
- Problem will only get worse over time - wireless data traffic increasing exponentially
- Adding a site in Mosier will assist with emergency/911 services as well.



NEED FOR
VERIZON
COVERAGE

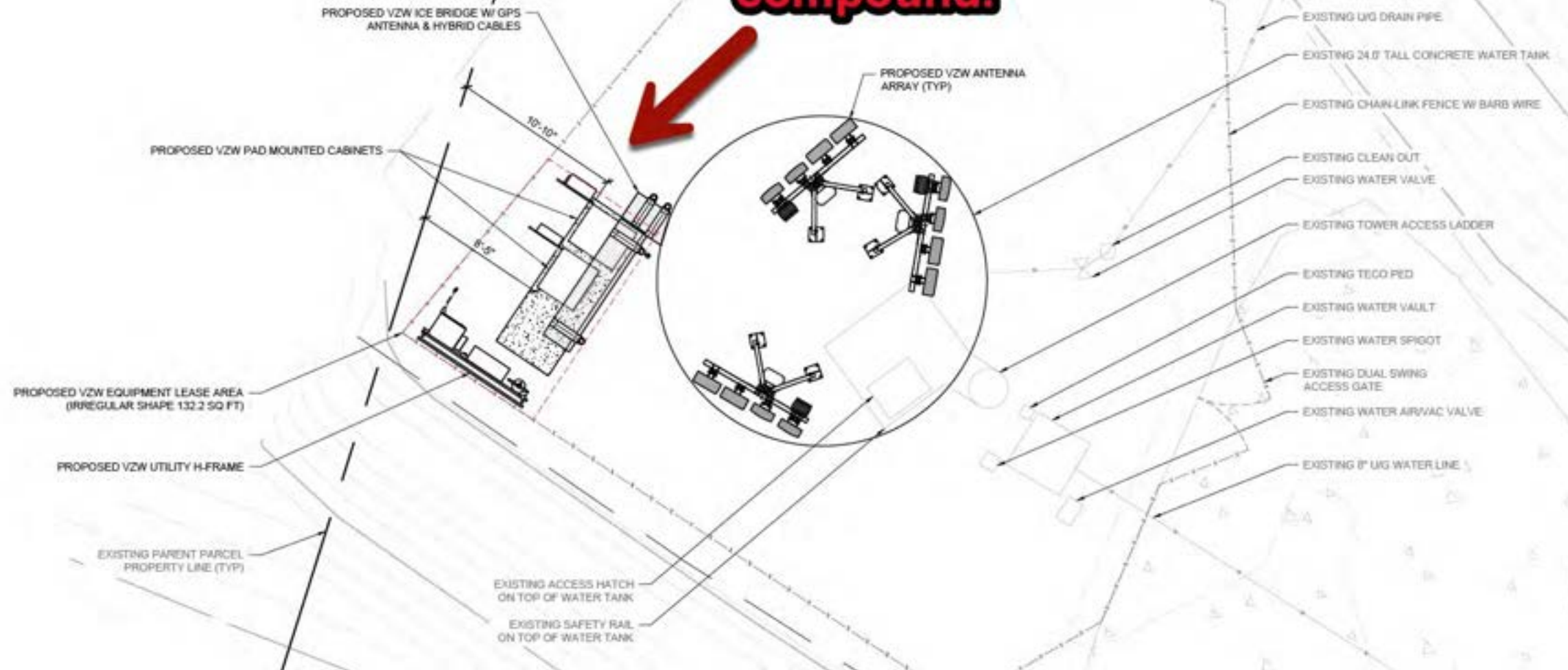


VERIZON PROPOSES TO ADD ANTENNAS TO THE TOP OF THE WATER TANK ON PONDEROSA PL.

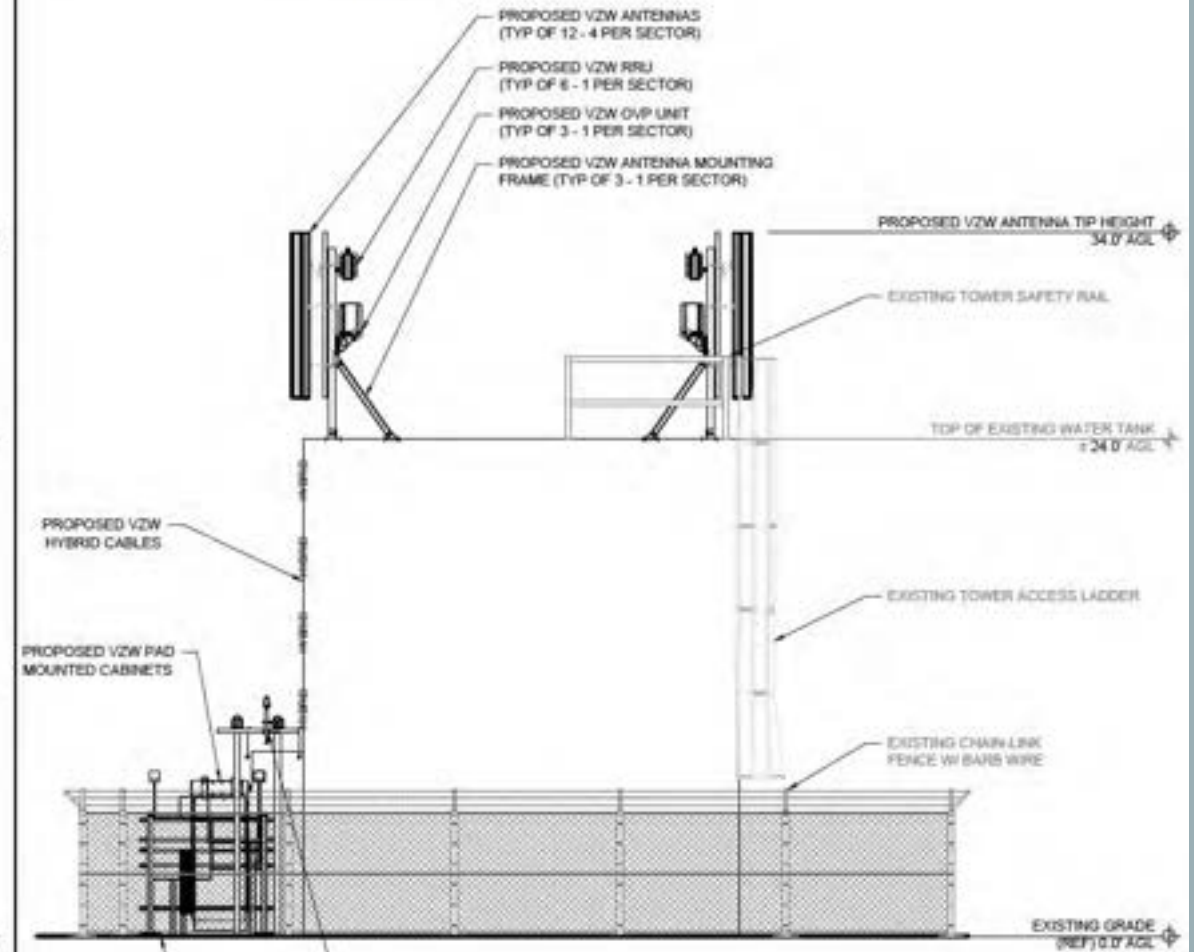
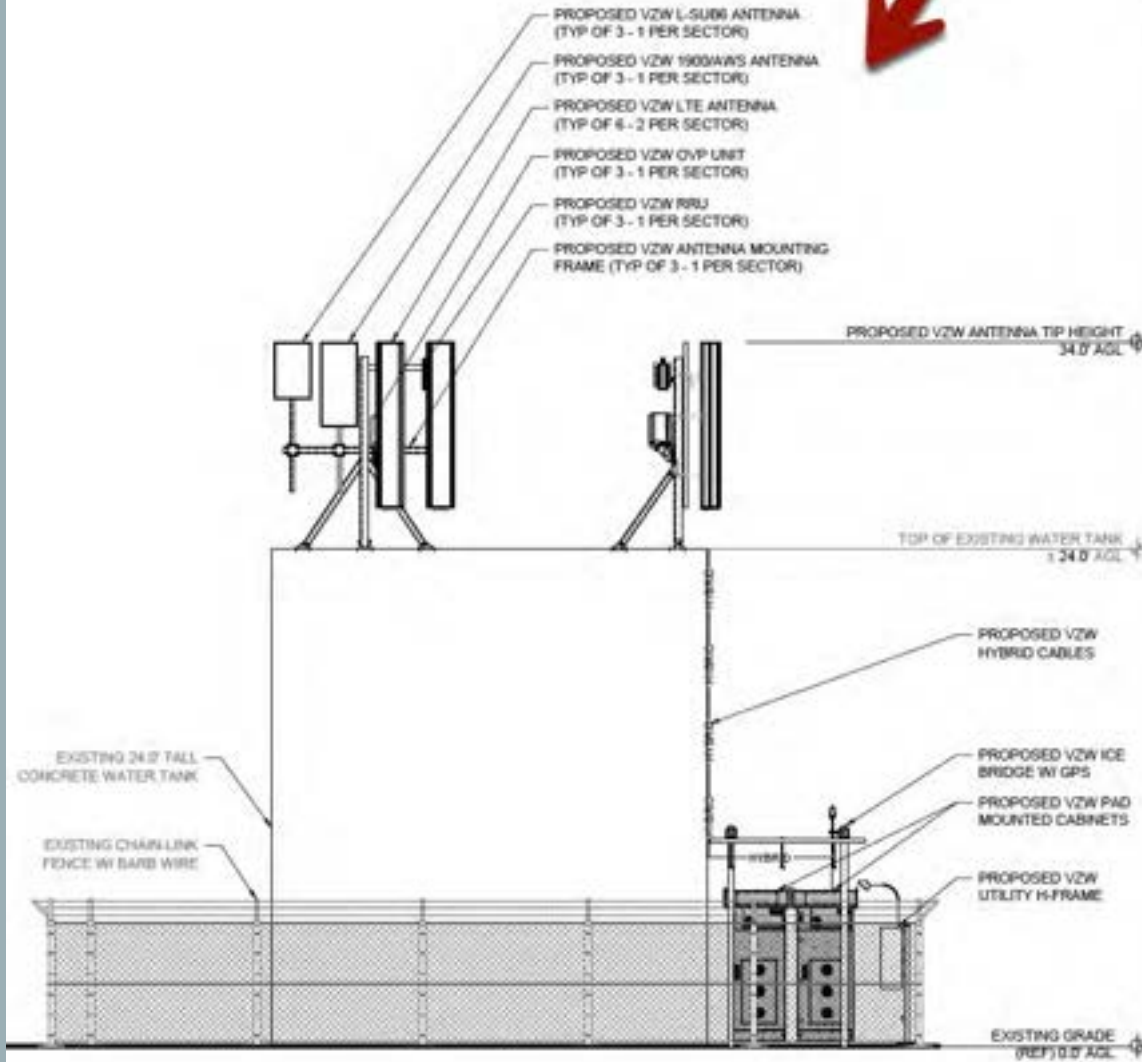
WHAT IS BEING PROPOSED . . .

- Placement of up to 12 Verizon antennas on existing water tank
- Placement of ground equipment in a 10'x14' area at base of water tank inside fenced compound
- Verizon to pay for and coordinate all land use and building permits.
- Verizon to provide City of Mosier with a draft lease to review which will include:
 - 25-year lease, broken down into 5-year terms.
 - Monthly lease payments of \$1200.00
 - Annual rent escalator of 2%

Ground equipment to be located in a 10' x 14' area inside existing fenced compound.



12 antennas on 3 sector frames





24'
WATER
TANK

**PROPOSED NEW
ANTENNA
LOCATION**





Staff Report

Meeting Date: July 16, 2025

Reported by: Monica Morris

Agenda Item: Fiscal Year 2025-26 Utility Rate Increases

Fiscal Impact: Estimate \$11,360 increase in utility revenues, all funds

Recommendation: Accept the new rates as presented.

Background:

July utility bills will reflect the 2025-26 increase rate consistent with the 10 year FCS rate study. The sewer rates increase 1.5% and water rates increase 2%.

Incrementally increasing fees in alignment with an appropriate inflation index, except where prohibited or otherwise noted, helps charges remain stable on a real dollar basis. Currently, the System Development Charges and Transportation Utility Fee increased by the Construction Cost Index of 2.6%

All other utility billing charges follow Hood River's fee schedule as our utility billing service provider.

Recommended Council Action/Decision/Motion (if any):

Accept the rates and approve the attached resolution

				Consumer Price Index	2.50%		
				Construction Cost Index	2.60%		
	DESCRIPTION	Department	FY 2024-25 Fee Amount	Price Index Adjustment	Other Changes (\$)	July 1, 2025 Change	FY 2025-26 Fee Amount
1	SDC & CONSTRUCTION EXCISE TAX						
2	SYSTEM DEVELOPMENT CHARGES (SDC)						
3	3/4" (Residential)						
4	Parks	Mosier	\$1,535.40	\$39.90		\$39.90	\$1,575.30
5	Water	Mosier	\$3,970.40	\$103.20		\$103.20	\$4,073.60
6	Sewer	Mosier	\$4,214.80	\$109.60		\$109.60	\$4,324.40
7	Stormwater	Mosier	\$1,539.50	\$40.00		\$40.00	\$1,579.50
8	Transportation	Mosier	<u>\$4,266.20</u>	\$110.90		\$110.90	<u>\$4,377.10</u>
9	Total Residential SDCs		\$15,526.30				\$15,929.90
10							
11	Mosier Bluffs additional SDC charge for Water	Mosier	<u>\$4,140.90</u>	\$107.70		\$107.70	<u>\$4,248.60</u>
12	Total Residential SDCs for Mosier Bluffs		\$19,667.20				\$20,178.50
13							
14							
15	Transportation Utility Fee						
16	Customer Water Meter Size						
17	3/4" Meter	Mosier	\$6.54	\$0.20		\$0.20	\$6.74
18	1" Meter	Mosier	\$16.25	\$0.40		\$0.40	\$16.65
19	1.5" Meter	Mosier	\$32.60	\$0.80		\$0.80	\$33.40
20	2" Meter	Mosier	\$52.12	\$1.40		\$1.40	\$53.52
21	6" Meter	Mosier	\$325.58	\$8.50		\$8.50	\$334.08
22							
23	UTILITIES						
24	UTILITY RATES						
25	Water Meter Monthly Base Fee¹						
26	3/4" (Residential)	Mosier	\$50.68		\$1.01	\$1.01	\$51.69
27	1"	Mosier	\$126.68		\$2.53	\$2.53	\$129.21
28	1 1/2"	Mosier	\$253.37		\$5.07	\$5.07	\$258.44
29	2"	Mosier	\$403.86		\$8.08	\$8.08	\$411.94
30	3"	Mosier	\$810.79		\$16.22	\$16.22	\$827.01
31	4"	Mosier	\$1,266.85		\$25.34	\$25.34	\$1,292.19
32	6"	Mosier	\$2,533.70		\$50.67	\$50.67	\$2,584.37
33	8"	Mosier	\$4,053.88		\$81.08	\$81.08	\$4,134.96
34							

	DESCRIPTION	Department	FY 2024-25 Fee Amount	Price Index Adjustment	Other Changes (\$)	July 1, 2025 Change	FY 2025-26 Fee Amount
35	Water Consumption Rate (All Users)						
36	0 to 5,000 gallons/month, per 1,000 gallons	Mosier	\$2.25		\$0.05	\$0.05	\$2.30
37	6000-14,000 gallons/month, per 1,000 gallons	Mosier	\$2.99		\$0.06	\$0.06	\$3.05
38	> 14,000 gallons/month, per 1,000 gallons	Mosier	\$3.75		\$0.08	\$0.08	\$3.83
39							
40	Sewer Monthly Base Fee						
41	Single Family Residential	Mosier	\$72.34		\$1.09	\$1.09	\$73.43
42	Multi-Family Residential (Per Unit)	Mosier	\$72.34		\$1.09	\$1.09	\$73.43
43	Schools	Mosier	\$361.20		\$5.42	\$5.42	\$366.62
44	Commercial (Including B&B)	Mosier	\$108.53		\$1.63	\$1.63	\$110.16
45	Accessory Dwelling Unit	Mosier	\$54.25		\$0.81	\$0.81	\$55.06
46	Non Profits (< 10,000 gallons water use)	Mosier	\$54.25		\$0.81	\$0.81	\$55.06
47							

City of Mosier
Utility Rate Study: Sewer Utility
Sewer Rate Schedule

Across-the-Board Rate Schedule	Previous 2019	Existing 2020	ATB 2021	ATB 2022	ATB 2023	ATB 2024	ATB 2025	ATB 2026	ATB 2027	ATB 2028	ATB 2029
Annual System-Wide Rate Increase			4.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%
	<i>Implementation date:</i>		1/1/2021	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027	7/1/2028
Monthly Sewer Charge											
Single Family Residential	\$65.54	\$65.54	\$68.16	\$69.18	\$70.22	\$71.28	\$72.34	\$73.43	\$74.53	\$75.65	\$76.78
Multi-Family Residential	\$65.54	\$65.54	\$68.16	\$69.18	\$70.22	\$71.28	\$72.34	\$73.43	\$74.53	\$75.65	\$76.78
Schools	\$327.23	\$327.23	\$340.32	\$345.42	\$350.61	\$355.86	\$361.20	\$366.62	\$372.12	\$377.70	\$383.37
Commercial (Including B&B)	\$98.32	\$98.32	\$102.25	\$103.79	\$105.34	\$106.92	\$108.53	\$110.16	\$111.81	\$113.48	\$115.19
Accessory Dwelling Unit	\$49.15	\$49.15	\$51.12	\$51.88	\$52.66	\$53.45	\$54.25	\$55.07	\$55.89	\$56.73	\$57.58
Non Profits (<10,000 gallons water use)	\$49.15	\$49.15	\$51.12	\$51.88	\$52.66	\$53.45	\$54.25	\$55.07	\$55.89	\$56.73	\$57.58

Note: "Across-the-Board" (ATB) means that all stated rates increase by the same percentage (both the fixed and volume charges), which maintains the existing rate structure.

City of Mosier
Utility Rate Study, Rate Design, and SDC Calculation: Water Utility
Water Rate Schedule

Across-the-Board Rate Schedule	Existing 2020	ATB 2021	ATB 2022	ATB 2023	ATB 2024	ATB 2025	ATB 2026	ATB 2027	ATB 2028	ATB 2029
Annual System-Wide Rate Increase		11.00%	11.00%	10.00%	3.00%	2.00%	2.00%	1.50%	1.50%	1.50%
	<i>Implementation date:</i>	1/1/2021	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027	7/1/2028
Fixed Monthly Charge by Meter										
3/4 Inch	\$35.59	\$39.50	\$43.85	\$48.24	\$49.68	\$50.68	\$51.69	\$52.47	\$53.25	\$54.05
1 Inch	\$88.97	\$98.76	\$109.62	\$120.58	\$124.20	\$126.68	\$129.22	\$131.16	\$133.12	\$135.12
1.5 Inch	\$177.94	\$197.51	\$219.24	\$241.16	\$248.40	\$253.37	\$258.43	\$262.31	\$266.25	\$270.24
2 Inch	\$283.63	\$314.83	\$349.46	\$384.41	\$395.94	\$403.86	\$411.93	\$418.11	\$424.39	\$430.75
3 Inch	\$569.42	\$632.06	\$701.58	\$771.74	\$794.89	\$810.79	\$827.01	\$839.41	\$852.00	\$864.78
4 Inch	\$889.71	\$987.58	\$1,096.21	\$1,205.83	\$1,242.01	\$1,266.85	\$1,292.18	\$1,311.57	\$1,331.24	\$1,351.21
6 Inch	\$1,779.42	\$1,975.16	\$2,192.42	\$2,411.67	\$2,484.02	\$2,533.70	\$2,584.37	\$2,623.14	\$2,662.48	\$2,702.42
8 Inch	\$2,847.05	\$3,160.23	\$3,507.85	\$3,858.64	\$3,974.39	\$4,053.88	\$4,134.96	\$4,196.98	\$4,259.94	\$4,323.84
Volume Charge: per 1,000 gallons										
0-6,000 gallons	\$1.58	\$1.76	\$1.95	\$2.14	\$2.21	\$2.25	\$2.30	\$2.33	\$2.37	\$2.40
6,000-14,000 gallons	\$2.10	\$2.33	\$2.59	\$2.85	\$2.93	\$2.99	\$3.05	\$3.10	\$3.14	\$3.19
14,000+ gallons	\$2.63	\$2.92	\$3.24	\$3.57	\$3.67	\$3.75	\$3.82	\$3.88	\$3.94	\$4.00

Note: "Across-the-Board" (ATB) means that all stated rates increase by the same percentage (both the fixed and volume charges), which maintains the existing rate structure.

\$9.49	\$10.53	\$11.69	\$12.86	\$13.24	\$13.51	\$13.78	\$13.98	\$14.19	\$14.41
21%	21%	21%	21%	21%	21%	21%	21%	21%	21%



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Producer prices increased 2.6 percent over the year ended May 2025

June 26, 2025

The Producer Price Index for final demand advanced 2.6 percent from May 2024 to May 2025. Prices for final demand goods increased 1.3 percent over the year, while final demand prices for services rose 3.2 percent.

CHART IMAGE

CHART DATA

12-month percent changes in the Producer Price Indexes for selected final demand components, not seasonally adjusted, May 2025

Commodity	Percent change
Total	2.6
Goods	1.3
Foods	3.5
Energy	-4.4
Goods less foods and energy	2.4
Services	3.2
Trade services	4.1
Transportation and warehousing services	2.3
Services less trade, transportation, and warehousing	3.0

Producer prices for final demand goods included a 3.5-percent increase in prices for food and a 4.4-percent decrease in energy prices. In the services sector, prices for trade rose 4.1 percent since May 2024, while transportation and warehousing prices increased 2.3 percent.

These data are from the [Producer Price Indexes](#) program and are not seasonally adjusted. To learn more, see "[Producer Price Indexes — May 2025](#)." Producer price indexes measure prices U.S. producers receive for goods, services, and construction. All producer price data are subject to revision in each month after initial publication before becoming final 4 months after initial publication. We also have more [charts of the latest Producer Price Indexes data](#).

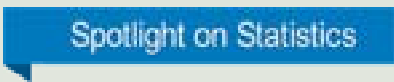
RELATED SUBJECTS

[Prices](#)

SUGGESTED CITATION

Bureau of Labor Statistics, U.S. Department of Labor, *The Economics Daily*, Producer prices increased 2.6 percent over the year ended May 2025 at <https://www.bls.gov/opub/ted/2025/producer-prices-increased-2-6-percent-over-the-year-ended-may-2025.htm> (visited July 10, 2025).

OF INTEREST



Recent editions of *Spotlight on Statistics*

- [Fatal Injuries to Foreign-Born Hispanic or Latino Workers](#)
Explores the industries, occupations, and events related to these fatalities.
- [For-Profit, Nonprofit, and Government Sector Jobs in 2022](#)
Compares the labor force characteristics and experiences of workers in the for-profit, nonprofit, government, and self-employed sectors.



Resolution 2025-08 Adopting Water and Sewer Utility Rates and Development Charges

BE IT RESOLVED that the City Council for the City of Mosier hereby adopts the following utility rates, utility billing fees, system development charges, and the Transportation Utility Fee.

DESCRIPTION	Department	FY 2024-25 Fee Amount	FY 2025-26 Fee Amount
SDC & CONSTRUCTION EXCISE TAX			
SYSTEM DEVELOPMENT CHARGES (SDC)			
3/4" (Residential)			
Parks	Mosier	\$1,535.40	\$1,575.30
Water	Mosier	\$3,970.40	\$4,073.60
Sewer	Mosier	\$4,214.80	\$4,324.40
Stormwater	Mosier	\$1,539.50	\$1,579.50
Transportation	Mosier	\$4,266.20	\$4,377.10
Total Residential SDCs		\$15,526.30	\$15,929.90
Mosier Bluffs additional SDC charge for Water	Mosier	\$4,140.90	\$4,248.60
Total Residential SDCs for Mosier Bluffs		\$19,667.20	\$20,178.50
Transportation Utility Fee			
Customer Water Meter Size			
3/4" Meter	Mosier	\$6.54	\$6.74
1" Meter	Mosier	\$16.25	\$16.65
1.5" Meter	Mosier	\$32.60	\$33.40
2" Meter	Mosier	\$52.12	\$53.52
6" Meter	Mosier	\$325.58	\$334.08



CITY OF MOSIER
small enough to make a difference

P.O. Box 456 / 208 WASHINGTON ST.
MOSIER, OR 97040

DESCRIPTION	Department	FY 2024-25 Fee Amount	FY 2025-26 Fee Amount
UTILITIES			
UTILITY RATES			
Water Meter Monthly Base Fee¹			
3/4" (Residential)	Mosier	\$50.68	\$51.69
1"	Mosier	\$126.68	\$129.21
1 1/2"	Mosier	\$253.37	\$258.44
2"	Mosier	\$403.86	\$411.94
3"	Mosier	\$810.79	\$827.01
4"	Mosier	\$1,266.85	\$1,292.19
6"	Mosier	\$2,533.70	\$2,584.37
8"	Mosier	\$4,053.88	\$4,134.96
Water Consumption Rate (All Users)			
0 to 5,000 gallons/month, per 1,000 gallons	Mosier	\$2.25	\$2.30
6000-14,000 gallons/month, per 1,000 gallons	Mosier	\$2.99	\$3.05
> 14,000 gallons/month, per 1,000 gallons	Mosier	\$3.75	\$3.83
Sewer Monthly Base Fee			
Single Family Residential	Mosier	\$72.34	\$73.43
Multi-Family Residential (Per Unit)	Mosier	\$72.34	\$73.43
Schools	Mosier	\$361.20	\$366.62
Commercial (Including B&B)	Mosier	\$108.53	\$110.16
Accessory Dwelling Unit	Mosier	\$54.25	\$55.06
Non Profits (< 10,000 gallons water use)	Mosier	\$54.25	\$55.06

These rates are effective on July 1, 2025.

ADOPTED by the City Council of the City of Mosier on the 16th day of July 2025.

Witt Anderson, Mayor

Attest:

Andrea Rogers, City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MOSIER LIMITING LIABILITY FROM CLAIMS ARISING FROM THE RECREATIONAL USE OF CERTAIN TRAILS AND STRUCTURES WITHIN THE CITY AND ADDING A NEW CHAPTER TO TITLE 11 OF THE MOSIER MUNICIPAL CODE

WHEREAS, ORS 105.672 to 105.688 provides a limitation on liability for certain claims against owners of land where the owners allow for public use of the land for recreational purposes;

WHEREAS, ORS 105.668(2) limits the liability of cities, city officials, adjacent property owners, and nonprofit organizations for personal injury or property damage resulting from the public use of trails or structures located in public easements or unimproved rights-of-way for cities with a population of 500,000 or more; and

WHEREAS, ORS 105.668(3) authorizes cities with populations under 500,000 to adopt the same limitations of liability by ordinance; and

WHEREAS, the City of Mosier has a population under 500,000, and contains trails and structures within its public easements and unimproved rights-of-way that are or may be used by the public for walking, hiking, biking, and other non-motorized recreational activities and for recreational purposes; and

WHEREAS, the Mosier City Council desires to allow and facilitate the public dedication of easements and the public use of such trails and structures while protecting the City of Mosier, its city officials, employees, agents, adjacent property owners, and nonprofit organizations that construct, maintain, and provide access to the trails and structures;

WHEREAS, the Mosier City Council believes it is important to protect and support the activities of the City and of persons who make trails available for public use and thereby promote the continued availability and community enjoyment of these special areas within the City;

NOW, THEREFORE, THE CITY OF MOSIER ORDAINS AS FOLLOWS:

Section 1: Adoption of Recreational Immunity Ordinance. An Ordinance providing for the limitation of liability authorized under ORS 105.668(2) is hereby adopted as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference. This Ordinance may be known as the City of Mosier Recreational Immunity Ordinance.

Section 2: Codification. A new Chapter 11.06 of the Mosier Municipal Code is hereby added to and made a part of Title 11 of the Mosier Municipal Code. The new Chapter 11.06 shall contain the Recreational Immunity Ordinance as adopted herein.

Section 3: Administration. The Recreational Immunity Ordinance shall be administered by the City Manager (or the City Manager's designee), who is authorized to adopt administrative regulations and procedures for the implementation of the same.

Section 4: Severability. In the event any section, subsection, paragraph, sentence, or phrase of this Recreational Immunity Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remainder of the Ordinance shall continue to be effective.

Section 5: Effective Date. This Recreational Immunity Ordinance shall take effect on the 30th day after the date of adoption.

Read for the first time: **June 18, 2025.**

Read for the second time and adopted on **July 16, 2025** by the Mosier City Council with the following votes:

Anderson: _____ *Campbell:* _____ *Lyndemyer:* _____

Cannon: _____ *Estes:* _____ *Koerner:* _____ *Wright:* _____

By: _____ Title: _____

Attest: By: _____ Title: _____

EXHIBIT A

Chapter 11.06

Recreational Immunity

Sections:

11.06.010 Title

11.06.020 Purpose

11.06.030 Definitions

11.06.040 Applicability

11.06.010 Title.

The Mosier Municipal Code Chapter 11.06 and the sections and subsections that are hereafter set forth may be referred to as the “Recreational Immunity Ordinance.”

11.06.020 Purpose.

The purpose of this Chapter is to encourage and facilitate the construction, maintenance, and public use of trails, paths, and unimproved rights-of-way that support walking, biking, and other forms of nonmotorized recreation and recreational use within the City of Mosier. This Chapter is also intended for the City and other persons that maintain or provide access to these areas to benefit from the protections provided under ORS 105.668 and limit liability from private negligence claims.

11.06.030 Definitions.

The following definitions apply to the terms used within this Chapter.

- A. “Owner” means the possessor of any interest in any land, including but not limited to the holder of any legal or equitable title, a tenant, a lessee, an occupant, the holder of an easement, the holder of a right of way, or a person in possession of the land. The term also includes an officer, employee, volunteer, or agent of any person herein described, while acting within the scope of their duties; and a director, partner, shareholder, or member of a person described herein.
- B. “Public easement” means a platted or dedicated easement for public access that is accessible by a user on foot, horseback, equine, bicycle, or other similar conveyance.
- C. “Recreational purposes” includes but is not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, walking, running, bicycling, nature study, outdoor educational activities, waterskiing, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project.
- D. “Structures” means improvements in a trail, including, but not limited to, stairs and bridges, that are accessible by a user on foot, on an equine, or on a bicycle or other nonmotorized vehicle or conveyance.

- E. “Trail” means a travel way for pedestrians, bicycles, and other non-motorized means of travel and any path or right-of-way that is intended to be used for recreational purposes or that is being used by a person to access land for recreational purposes.
- F. “Unimproved right of way” means a platted or dedicated public right-of-way over which a street, road, or highway has not been constructed to the standards and specifications of the City with jurisdiction over the public right of way and for which the City has not expressly accepted responsibility for maintenance.

11.06.040 Limitation on liability.

- A. Personal injury or property damage resulting from the use of a trail that is in a public easement or an unimproved right-of-way, or from the use of structures in the public easement or unimproved right-of-way, by a user on foot, on an equine, on a bicycle, or other nonmotorized vehicle or conveyance, does not give rise to a private claim or right of action based on negligence against:
 - 1. The City of Mosier;
 - 2. The City of Mosier officers, employees, or agents, to the extent that the officers, employees, or agents are entitled to defense and indemnification under ORS 30.285;
 - 3. The owner(s) of land abutting the public easement or unimproved right-of-way; or
 - 4. A nonprofit corporation and its volunteers for the construction and maintenance of the trail or the structures in a public easement or unimproved right-of-way.
- B. The immunity granted by this Chapter does not include immunity for:
 - 1. A person (other than a person identified in 11.06.040(A)(2)), who receives compensation for assistance, services, or advice in relation to the conduct that leads to the personal injury and/or property damage.
 - 2. Acts of gross negligence, or from reckless, wanton, or intentional misconduct.
 - 3. An activity for which a person is strictly liable without regard to fault.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MOSIER
ADOPTING AMENDMENTS TO THE OPERATIONAL RULES AND
LICENSURE REQUIREMENTS FOR SHORT-TERM RENTALS**

WHEREAS, the Mosier City Council (the “City Council”) in December of 2023 adopted the City of Mosier’s existing Short-Term Rental Ordinance, which establishes operational rules and licensure requirements for short-term rentals; and

WHEREAS, the City Council has reviewed the Short-Term Rental Ordinance and finds it desirable to make certain changes, including the removal of an application period and other changes intended to facilitate the efficient administration, application, and processing of STR License applications;

NOW, THEREFORE, THE CITY OF MOSIER ORDAINS AS FOLLOWS:

Section 1: Adoption of Ordinance. An Ordinance adopting amendments to the operational rules and licensure requirements for short-term rentals is hereby adopted as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2: Codification. Chapter 5.20 of the Mosier Municipal Code is hereby amended to read as set forth in **Exhibit A** attached hereto.

Section 3: Severability. In the event any section, subsection, paragraph, sentence, or phrase of this Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remainder of the Ordinance shall continue to be effective.

Section 4: Effective Date. This Ordinance shall take effect on the 30th day after the date of adoption.

Read for the first time: _____, **2025**.

Read for the second time and adopted on _____, **2025** by the Mosier City Council with the following votes:

Anderson: _____ *Campbell:* _____ *Lyndemyer:* _____

Cannon: _____ *Estes:* _____ *Koerner:* _____ *Wright:* _____

By: _____ Title: _____

Attest: By: _____ Title: _____

EXHIBIT A

Mosier Municipal Code Chapter 5.20 – Short-Term Rentals

Sections

[5.20.010 – Title](#)

[5.20.020 – Purpose](#)

[5.20.030 – Definitions](#)

[5.20.040 – Applicability](#)

[5.20.050 – Biennial Operating License Required](#)

[5.20.060 – Operating License Application and Fees](#)

[5.20.070 – Review Criteria](#)

[5.20.080 – Availability of Short-Term Rental Licenses](#)

[5.20.090 – Existing Vacation Home Rentals](#)

[5.20.100 – License Renewals](#)

[5.20.110 – Violations](#)

[5.20.120 – Appeals](#)

5.20.010 Title.

The Mosier Municipal Code Chapter 5.10 and the sections and subsections that are hereafter set forth shall be referred to as the “Short-Term Rental Ordinance” or the “STR Ordinance.”

5.20.020 – Purpose.

The purpose of this Chapter is to allow for short-term rentals to operate throughout the City of Mosier and to establish operational rules and a licensing procedure for the same.

5.20.030 – Definitions.

The following definitions apply to the terms used within this Chapter.

- A. “Administrator”** means the City Manager or the City Manager’s Designee.
- B. “Applicant”** means an Owner who applies for a Short-Term Rental Operating License under this Chapter, or an authorized agent of the Owner who has been designated in writing by the Owner to act on the Owner’s behalf for purposes of this Chapter.
- C. “Hosted Homeshare”** means a short-term rental operating on the same property where the Owner maintains the Owner’s primary residence. A Hosted Homeshare may be a portion of the Owner’s primary residence, or attached to the Owner’s primary residence; or it may be a dwelling unit that is detached from the Owner’s primary residence, such as a detached accessory dwelling unit.
- D. “Operate”** includes to advertise or offer (through any written, electronic, oral, digital, mobile, or other means), operate, rent, lease, or otherwise make available or allow for the use.
- E. “Owner”** means the property owner(s) of record holding title to a property within the City of Mosier, including any part owner, joint owner, tenant-in-common, joint tenant, tenant by the entirety, and other legal status, and shall include all individuals holding any title interest to the property, who shall each be

considered an owner for purposes of this Chapter. An owner may be a business or other legal entity, including a joint venture, joint stock company, partnership, association, club, company, corporation, firm, trust, estate, or organization, and shall include all agents, managers, owners, representatives, lessees, affiliates, agents, employees, and officers of the business or legal entity.

F. “Primary Residence” means the property that an Owner occupies for the majority of the calendar year, as evidenced by the property address being listed on at least two of the following records of the Owner:

- a. Voter registration card
- b. Oregon driver’s license or other government-issued identification card
- c. Federal income tax return from the most recent tax year

G. “Short-Term Rental” or ” STR” means a house, duplex, multi-plex, apartment, condominium, houseboat, trailer, or other residential dwelling unit where guest bedrooms or the entire residential dwelling unit may be rented for transient occupancy. A short-term rental is either a “Vacation Home Rental” or a “Hosted Homeshare.”

H. “Short-Term Rental Operating License” or “STR License” shall mean the biennial operating license issued by the City of Mosier under this Chapter.

I. “Short-Term Rental Property” or “STR Property” shall mean the property upon which one or more STRs operate.

J. ” Transient Occupancy” or “Transient Use” means the right to the use or possession of any space in a transient lodging facility for dwelling, lodging, or sleeping purposes for 30 or fewer consecutive calendar days, for which compensation (rent) is charged to the occupant.

K. ” Transient Lodging” or “Transient Lodging Facility” means:

- (1) A hotel, motel, inn, bed & breakfast, short-term rental, or any other dwelling unit(s) used for transient occupancy;
- (2) Spaces, on either public or private land, used for overnight parking of recreational vehicles or placement of tents during periods of transient occupancy; and
- (3) Houses, cabins, condominiums, accessory dwelling units, apartment units or other dwelling units, or portions of any of those dwelling units that are used for transient occupancy.

L. ” Transient Lodging Provider” means a person that furnishes transient lodging.

M. “Vacation Home Rental” means a short-term rental on a property that is not the Owner’s primary residence.

5.20.040 – Applicability.

This Chapter applies to all short-term rental operations within the City of Mosier.

5.20.050 – Biennial Operating License Required.

Owners must biennially (i.e., once every two years) apply for and receive an operating license from the City of Mosier under this Chapter (“STR License”). No person or Owner shall operate a short-term rental on any property within the City of Mosier, nor shall any person or Owner allow a short-term rental to operate on any property within the City of Mosier, without first obtaining an STR License. Operating or allowing the operation of an STR within the City of Mosier without an STR License shall be a violation of the Mosier Municipal Code. An approved STR License will be valid for two years from the date of issuance.

5.20.060 – Operating License Application and Fees.

A. Application for Vacation Home Rentals. Applications, with applicable fees, for a biennial STR License for a Vacation Home Rental may be submitted at any time of the year. Upon receipt, the City will review the application for completeness. Applications shall be time-stamped with the date of receipt, or the date the application was deemed complete (whichever is later). The Administrator shall process completed applications in the order that they are received, according to the timestamp on the application. When STR Licenses are no longer available in the STR Neighborhood of the application (for Vacation Home Rentals), the Administrator shall stop processing applications for Vacation Home Rental STRs for that STR Neighborhood until a license becomes available. Any unprocessed applications and fees shall be retained, with time stamp, for later processing as STR licenses become available for that STR Neighborhood. If an STR License becomes available for that STR neighborhood, the City will process applications in the order of the timestamp on the application. At any time prior to processing, applicants who have submitted an application for an STR License for an STR Neighborhood that is at maximum capacity may request the return of their application and fees, but will also forfeit the time-stamped priority, should a license become available for that STR neighborhood.

B. Application for Hosted Homeshares. Applications, with applicable fees, for a biennial STR License for a Hosted Homeshare may be submitted at any time of year. The City shall only process completed applications. Applications shall be time-stamped with the date of receipt, or the date the application was deemed complete (whichever is later). The Administrator shall process completed applications in the order that they are received, according to the timestamp on the application.

C. Costs and Fees. The City Council shall establish, by resolution, the costs and fees associated with STR License applications and renewals.

D. Form of Application. Applications for an STR License and requests for renewal shall be in a form prescribed by the City.

E. Application Requirements. Every application for an STR License must contain the following information. Incomplete applications will not be processed by the City.

a. Owner and Applicant information, including full name, residential address, telephone number, and e-mail address of all Owners and Applicants of the property or properties associated with the STR application.

b. The address and phone number of the short-term rental, and the address of the property upon which the short-term rental operates, if different.

c. The listing numbers, webpage addresses, and all other locations where the STR is advertised, has been

advertised, or may be advertised.

- d.** The maximum number of occupants who may stay at one time in the STR.
- e.** The identification of the STR as either: (i) a Vacation Home Rental; or (ii) a Hosted Homeshare. See Section 5.20.030 of this Chapter for definitions.
- f.** Proof of primary residence (for a Hosted Homeshare only). The Applicant must provide at least two of the following items as evidence that the property is the primary residence of the Owner:
 - i.** A copy of the Owner's voter registration.
 - ii.** A copy of the Owner's Oregon driver's license or other government-issued identification card.
 - iii.** A copy of the Owner's federal income tax return from the most recent tax year (for address verification only; financial data should be redacted).
- g.** The name, telephone number, primary address, and e-mail address of a local contact person or company who may be contacted and will be made available to respond to concerns and complaints related to the operation of the STR. The Applicant must confirm that the local contact will be located within a 30-minute travel time of the STR and must be available by phone 24 hours a day, seven days a week, for the periods of time when the STR is being leased, rented, or occupied for transient lodging.
- h.** Attestation of compliance of the STR with all applicable building and fire codes.
- i.** Sufficient evidence that each of the approval criterion for an STR License is met or will be met prior to the start of STR operations.
- j.** For STRs currently in operation at the time of the application, documentation that the state and local transient lodging taxes have been paid in full, as of the date of the application. For STRs not currently in operation, documentation that the Owner is registered to pay local and state transient lodging taxes for the STR associated with the application.
- k.** A statement by the Applicant certifying that the information and materials submitted for the STR License application are complete, true, and accurate.
- l.** Signatures on the application of all Owners of the STR Property. Applications that do not contain all Owner signatures will be deemed incomplete.
- m.** A statement by the Applicant that acknowledges the Applicant has received and reviewed the City's Good Neighbor Guidelines; that the Good Neighbor Guidelines will be relayed to STR tenants; that STR tenants will agree to abide by the same; and that the Good Neighbor Guidelines will be posted and will remain in a visible and conspicuous place in the STR at all times of STR operation.
- n.** Such other information as the Administrator may deem reasonable or appropriate to process the application.

F. Licensee. If approved, the STR License shall be issued to the Applicant, for the property that is proposed for STR use, and may not be issued to any other person or entity. An STR License may not be transferred or assigned to any other person or property, and only belongs to the specific person(s) and for the specific STR and property that it was issued. An STR License is non-transferable to a new Owner in the event of a sale of the STR property. Only one STR License (of any type) per Applicant shall be allowed at any given time.

G. Effect of STR License. An STR License shall be valid for two years from the date of issuance, and shall automatically expire after such date, unless earlier revoked or renewed under the terms of this Chapter.

5.20.070 – Review Criteria.

A. Burden of Proof. The Applicant has the burden of proof to demonstrate that each approval criterion for an STR License is met. The Administrator may verify the evidence submitted by the Applicant and the Applicant shall cooperate in any investigation or request for verification documentation by the Administrator, including providing access to the STR Property for the purpose of verifying the information on the application.

B. Approval Criteria.

a. Complete Application. STR applications must include all of the Application Requirements contained in this Chapter; the fees for the application must have been paid in full; and the application must be signed by all Owners of the STR Property.

b. Zoning. The STR Property must be in compliance with the Mosier Zoning Ordinance, including Titles 15.02 and 15.04.

c. Transient Lodging Tax. The STR Property must be in compliance with the Transient Lodging Tax Ordinance under Mosier Municipal Code 5.10 and must be current in all applicable Transient Lodging Tax payments.

d. Fire & Safety Compliance. The Applicant must attest that the STR is in compliance with all applicable fire and building code standards.

e. Availability. An STR License must be available for the property requested.

f. Eligibility. The STR Property must be eligible for licensure or renewal and must not have been found to be in violation of the Mosier Municipal Code or Zoning Ordinance three or more times or otherwise subject to revocation or non-renewal of an STR License.

5.20.080 – Availability of Short-Term Rental Licenses.

A. Biennial Cap on STR Licenses within the City Available for Vacation Home Rentals. The Administrator may issue up to a maximum number of STR Licenses for Vacation Home Rentals by STR Neighborhood. See STR Neighborhood Map in Table 5.20.080-1. The maximum number shall be 10% of the residential dwelling units within each STR Neighborhood that may be made available for Vacation Home Rentals, rounded up or down to the nearest whole number. The Administrator shall recalculate the percentage when the Administrator becomes aware of an increase or decrease in housing units that may be made available for Vacation Home Rentals within an STR Neighborhood. If an additional STR License becomes available, for any reason (for example, due to the development of new residential dwelling units or the unappealable revocation of an existing STR License), the Administrator may process additional applications up to the maximum STR Neighborhood cap. The City has no obligation to notify the public of the availability of additional STR Licenses. The Commercial Zone STR Neighborhood shall have no cap on the number of STR Licenses that may be issued for Vacation Home Rentals.

B. No Cap on STR Licenses for Hosted Homeshares. There is no upper limit on the number of STR Licenses that the City may issue for Hosted Homeshares.

5.20.090 – Existing Vacation Home Rentals.

A. STR License Required. Owners of a Vacation Home Rental that was in operation as of June 21, 2023 (“Existing Vacation Home Rental”) must apply for and obtain an STR License to continue operating after the effective date of this STR Ordinance. If an Owner of an Existing Vacation Home Rental is unable to obtain an STR License either: (i) because the maximum number of licenses available for the applicable STR Neighborhood pursuant to Section 5.20.080(A) has already been reached; or (ii) because the Owner already has an STR License (of any type) and a second license is therefore unavailable pursuant to Section 5.20.060(F), then the Administrator may issue one or more Special STR Licenses according to this Section. If an STR License is available to an Existing Vacation Home Rental because conditions (i) and (ii) do not exist, then a Special STR License shall not be issued.

B. Review Criteria for Special STR License. The Applicant has the burden of proof to demonstrate that each approval criterion for a Special STR License is met. The Administrator may verify the evidence submitted by the Applicant, and the Applicant shall cooperate in any investigation or request for verification documentation by the Administrator, including providing access to the STR Property for the purpose of verifying the information on the application.

C. Approval Criteria for a Special STR License.

a. Complete Application. The Special STR application must include all of the Application Requirements contained in this Chapter; the fees for the application must have been paid in full; and the application must be signed by all Owners of the STR Property.

b. First Date of Operation. The Applicant must provide evidence of the first date of operation of the Existing Vacation Home Rental, which must predate June 21, 2023.

c. Need for Special STR License. The Applicant must demonstrate that at least one of the following exist for the STR that is the subject of the Special STR License application:

- i.** The maximum number of licenses available for the applicable STR Neighborhood pursuant to Section 5.20.080(A) has already been reached and the Applicant is therefore unable to obtain an STR License; or
- ii.** The Applicant already has an STR License (of any type) and an additional license for the Existing Vacation Home Rental is therefore unavailable pursuant to Section 5.20.060(F).

d. Zoning. The STR Property must be in compliance with the Mosier Zoning Ordinance, including Titles 15.02 and 15.04.

e. Transient Lodging Tax. The STR Property must be in compliance with the Transient Lodging Tax Ordinance under Mosier Municipal Code 5.10 and must be current in all applicable Transient Lodging Tax payments. The Applicant must demonstrate that Transient Lodging Tax has been paid since the later of: (i) the First Date of Operation of the Existing Vacation Home Rental; or (ii) the implementation date of the Transient Lodging Tax Ordinance (October 1, 2022).

f. Fire & Safety Compliance. The Applicant must attest that the STR is in compliance with all applicable fire and building code standards.

g. Eligibility. The STR Property must be eligible for licensure or renewal and must not have been found to be in violation of the Mosier Municipal Code or Zoning Ordinance three or more times or otherwise subject to revocation or non-renewal of an STR License.

D. Effect of Special STR License Generally. A Special STR License may only be issued to the Owner of an Existing Vacation Home Rental and may not be transferred or assigned to any other person or property. A Special STR License is non-transferable to a new Owner; in the event of a sale of the STR property or a change in ownership of any kind, the Special STR License shall automatically terminate. A Special STR License shall remain valid until there is a change in ownership of the STR property.

E. Effect of Special STR License When Multiple STR Licenses are Held. An Owner holding a Special STR License on the basis of need under Section 5.20.090(C)(c)(ii), may hold a Special STR License in addition to one or more STR Licenses (of any type) for a period of seven (7) years from the date of the first STR License issuance, provided that each STR License is properly applied for, renewed, and maintained. After seven (7) years, the Owner may, as of the next open application period, only hold one STR License (of any type) and may not apply for another Special STR License.



Table 5.20.080-1 STR Neighborhood Map.

5.20.100 – License Renewals.

STR Licensees that are in good standing may apply to renew their STR License for an additional, two-year licensure period, provided that there has been no lapse or delinquency in payment of local or state transient lodging taxes, and provided that the STR License is subject to renewal. Renewal applications that are deemed complete prior to the expiration of the STR’s existing STR License are given priority over new applications for an STR License for that STR Neighborhood.

5.20.110 – Violations.

A. It is a violation for any person or Owner to operate or allow the operation of an STR within the City of Mosier without a valid and current STR License at the time of operation. A violation of this provision shall constitute a nuisance and shall be subject to the civil penalties under the Mosier Municipal Code Chapter 8.01.060 as well as the applicable civil penalties under Mosier Municipal Code Chapter 1.10.

B. It is a violation for any person or Owner to submit or caused to be submitted any material misrepresentation or false information in an STR application or during the renewal process. A violation of this provision shall be subject to the applicable civil penalties under Mosier Municipal Code Chapter 1.10

C. Complaints that an STR operation, or that any Owner or person is out of compliance with this Chapter or any other provision of the Mosier Municipal Code or Zoning Ordinance shall be processed by the Administrator according to the City's standard code enforcement procedure.

D. If a complaint is found to be substantiated by the City as a code violation:

i. For the first violation: The City shall issue a written First Notice of Violation. Each violator and Owner shall be subject to all applicable civil penalties for the violation.

ii. For the second violation: The City shall issue a written Second Notice of Violation. Each violator and Owner shall be subject to double the amount of all applicable civil penalties for the violation.

iii. For the third violation: The City shall revoke the STR License for the remainder of the 24-month licensure period. STR properties, persons, or Owners found in violation three times concerning any STR operation shall not be eligible for an STR License or renewal for the remainder of the then-current 24-month licensure period nor the subsequent biennial licensure period. In addition, each violator and Owner shall be subject to all applicable civil penalties for the violation as identified under Section 5.20.100(D)(ii).

iv. For any violation that the Administrator deems to be a health or safety risk, to persons or to property, regardless of the number of violations that have been found: The City may immediately revoke the STR License and the STR operation shall not be eligible for an STR License or renewal until the City finds that the health and safety risks have been mitigated.

5.20.120 – Appeals.

Appeals of the Administrator's decision on a violation or revocation decision under Section 5.20.110(D)(i), (ii), or (iii), is appealed to the Mosier City Council, who may hear the appeal or refer the appeal to a Hearings Officer that has been appointed by the Mosier City Council. Appeals must be accompanied by the applicable appeal fee that shall be established by the City Council by resolution. Appeals must contain a detailed statement of the legal and factual grounds for the appeal; evidence or documentation supporting the grounds on which the appeal is based; a description of the resulting harm to the Applicant; and the requested remedy. Appeals must be in writing and filed with the Administrator within 14 days from the date of the decision being appealed. The City Council or Hearings Officer shall schedule a hearing within 60 days of the filing of the appeal. The hearing shall be held de novo. For appeals of Section 5.20.110(A) or (B), the appellant shall have the burden of proving, by a preponderance of the evidence, that the City has erred in its decision and the decision should be reversed. For appeals of Section 5.20.110(D)(i), (ii), or (iii), the City shall have the burden of proving,

by a preponderance of the evidence, that the violation occurred. The City Council or Hearings Officer's decision on the appeal shall be the final decision of the City and is only appealable by writ of review to the Circuit Court.



July 16, 2025

Sterling Poole - Personal Banker
Hood River Branch 50464
O: 541.387.3447
F: 503.270.2565
E: SterlingPoole@Umpquabank.com

Subject: Account Contact Update – Acct# 402005635

Dear Sterling,

The city needs to update the contacts for the account listed above.

Please Remove:

- Acasia Berry

Please remove all online us online users except:

- (Online Admin), Monica Morris, Finance Director, finance@cityofmosier.com
- (Online Access), Amy Szilagyi, City Recorder, cityrecorder@cityofmosier.com

Thank you for your assistance.

Andrea Rogers, City Manager

STAFF REPORT: Mandatory FEMA Floodplain Management Regulations

MEETING DATE: July 16, 2025
CITY BODY: City Council
PREPARED BY: Jaime Crawford, Staff Contract Planner

Dear Honorable Mayor & Council Members,

This legislative public hearing concerns adoption of floodplain management regulations that will apply to lands within the City Limits and within those areas identified on new Flood Insurance Rate Map (FIRM) Panels 1065C0009C, 41065C0016C, and 41065C0017C.

Tonight, the City Council will consider adopting the 2024 update to the State of Oregon Model Flood Hazard Management Ordinance prepared by the State of Oregon Department of Land Conservation and Development (DLCD) and reviewed and approved by the Federal Emergency Management Agency (FEMA), Region 10. Adoption of the 2024 model ordinance will ensure the City remains compliant with the minimum standards for participation in the National Flood Insurance Program (NFIP). **The City must become compliant prior to July 22, 2025.**

The Floodplain Management Regulations will be a stand-alone ordinance, outside of the City's zoning regulations contained in Title 15. The Floodplain Administrator will be the City Recorder. The City Recorder can designate the City Engineer to help review floodplain permits. Floodplain permits are a ministerial action and not considered a land use permit under Oregon Revised Statute 197.015 (Comprehensive Land Use Planning).

Background on Amendments to Required Floodplain Regulation:

As a result of judicial actions, FEMA was tasked with modifying NFIP implementation measures to ensure that development actions within floodplains result in "no net loss" to habitats. "No net loss" means mitigation of development impacts is provided on site, within the same reach, or in the same watershed. To remain participating in the NFIP, the State is requiring jurisdictions to either (1) prohibit all new development within floodplains, (2) adopt regulations requiring extensive environmental reviews, termed a Biological Option (BiOp), or (3) adopt the 2024 model ordinance. The Staff have determined that adopting the 2024 model ordinance is the least restrictive and least costly for both the City and property owners.

STAFF RECOMMENDATION: Move to adopt the Ordinance and Exhibit as written.

Sincerely,

Jaime Crawford
Staff Contract Planner
503-780-1787

City of Mosier, Wasco County, Oregon

Ordinance No. _____ Floodplain Management Regulations

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1. STATUTORY AUTHORITY, FINDINGS OF FACT, PURPOSE, & METHODS

1.01 STATUTORY AUTHORIZATION

The State of Oregon has in ORS 197.175 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Mosier does ordain as follows:

1.02 FINDINGS OF FACT

- A) The flood hazard areas of the City of Mosier are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B) These flood losses may be caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss.

1.03 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

- A) Protect human life and health;
- B) Minimize expenditure of public money for costly flood control projects;
- C) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D) Minimize prolonged business interruptions;
- E) Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in special flood hazard areas;
- F) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
- G) Notify potential buyers that the property is in a special flood hazard area;
- H) Notify those who occupy special flood hazard areas that they assume responsibility for their actions;
- I) Participate in and maintain eligibility for flood insurance and disaster relief.

1.04 METHODS OF REDUCING FLOOD LOSSES

To accomplish its purposes, this ordinance includes methods and provisions for:

- A) Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B) Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D) Controlling filling, grading, dredging, and other development which may increase flood damage;
- E) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

2. GENERAL PROVISIONS

2.01 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all special flood hazard areas within the jurisdiction of the City of Mosier.

2.02 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The special flood hazard areas identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for Wasco County, Oregon and Incorporated Areas", dated April 18, 2025, with accompanying Flood Insurance Rate Maps (FIRMs), are hereby adopted by reference and declared to be a part of this ordinance. The FIS and FIRM panels are on file at City Hall, Mosier, Oregon.

2.03 COORDINATION WITH STATE OF OREGON SPECIALTY CODES

Pursuant to the requirement established in ORS 455 that the City of Mosier administers and enforces the State of Oregon Specialty Codes, the City of Mosier does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this ordinance is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

2.04 COMPLIANCE AND PENALTIES FOR NONCOMPLIANCE

- A) **COMPLIANCE.** All development within special flood hazard areas is subject to the terms of this ordinance and required to comply with its provisions and all other applicable regulations.
- B) **PENALTIES FOR NONCOMPLIANCE.** No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor with a potential fine of \$100 a day to a maximum of \$10,000 for any person found guilty of violating this Ordinance. Nothing contained herein shall prevent the City of Mosier from taking such other lawful action as is necessary to prevent or remedy any violation.

2.05 ABROGATION AND SEVERABILITY

- A) ABROGATION. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- B) SEVERABILITY. This ordinance and the various parts thereof are hereby declared to be severable. If any section clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

2.06 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- A) Considered as minimum requirements;
- B) Liberally construed in favor of the governing body; and
- C) Deemed neither to limit nor repeal any other powers granted under state statutes.

2.07 WARNING AND DISCLAIMER OF LIABILITY

- A) WARNING. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.
- B) DISCLAIMER OF LIABILITY. This ordinance shall not create liability on the part of the City of Mosier, any officer or employee or consultant thereof, or the Federal Insurance Administrator for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

3. ADMINISTRATION

3.01 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The City of Mosier's City Recorder and their designee are hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

3.02 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties of the floodplain administrator, or their designee, shall include, but not be limited to:

- A) PERMIT REVIEW
- 1) Review all development permits to determine that:
 - 2) The permit requirements of this ordinance have been satisfied;
 - 3) All other required local, state, and federal permits have been obtained and approved.

- 4) Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions of this ordinance in section 4.02 FLOODWAYS are met; and
 - 5) Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of sections 4.01 USE OF OTHER BASE FLOOD DATA; and
 - 6) Provide to building officials the Base Flood Elevation (BFE) plus one foot above the Base Flood Elevation (BFE) applicable to any building requiring a development permit.
 - 7) Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in section 5.
 - 8) Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in section 4.01 ALTERATION OF WATERCOURSES.
 - 9) Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.
- B) INFORMATION TO BE OBTAINED AND MAINTAINED. The following information shall be obtained and maintained and shall be made available for public inspection as needed:
- 1) Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where Base Flood Elevation (BFE) data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with section 4.01 USE OF OTHER BASE FLOOD DATA.
 - 2) Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of sections 4.02 FLOODWAYS, 3.02(A)(2) are adhered to.
 - 3) Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).
 - 4) Where base flood elevation data are utilized, obtain As-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.
 - 5) Maintain all Elevation Certificates (EC) submitted to the City of Mosier;
 - 6) Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this ordinance and where Base Flood

Elevation (BFE) data is provided through the FIS, FIRM, or obtained in accordance with section 4.01 USE OF OTHER BASE FLOOD DATA.

- 7) Maintain all floodproofing certificates required under this ordinance;
- 8) Record and maintain all variance actions, including justification for their issuance;
- 9) Obtain and maintain all hydrologic and hydraulic analyses performed as required under section 4.02 FLOODWAYS.
- 10) Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under section 3.02(D).
- 11) Maintain for public inspection all records pertaining to the provisions of this ordinance.

C) REQUIREMENT TO NOTIFY OTHER ENTITIES AND SUBMIT NEW TECHNICAL DATA

- 1) COMMUNITY BOUNDARY ALTERATIONS. The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps (FHBM) and Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
- 2) WATERCOURSE ALTERATIONS. Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:
 - a. A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
 - b. Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.
 - c. The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under section 3.02(C)(3). Ensure compliance with all applicable requirements in sections 3.02(C)(3) and 4.01 ALTERATION OF WATERCOURSES.
- 3) REQUIREMENT TO SUBMIT NEW TECHNICAL DATA. A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community

may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

- a. Proposed floodway encroachments that increase the base flood elevation; and
- b. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

An applicant shall Notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

The applicant shall be responsible for preparing all technical data to support CLOMR/LOMR applications and paying any processing or application fees associated with the CLOMR/LOMR.

The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this code and all applicable state and federal laws.

- D) **SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE ASSESSMENTS AND DETERMINATIONS.** Conduct Substantial Improvement (SI) (as defined in section 5) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with section 3.02 INFORMATION TO BE OBTAINED AND MAINTAINED. Conduct Substantial Damage (SD) (as defined in section 5) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in section 2.02) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- E) **INTERPRETATION OF FIRM BOUNDARIES.** Make interpretations where needed, as to exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

3.03 ESTABLISHMENT OF DEVELOPMENT PERMIT

- A) **FLOODPLAIN DEVELOPMENT PERMIT REQUIRED.** A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in section 2.02. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in section 5.0, including fill and other development activities.
- B) **APPLICATION FOR DEVELOPMENT PERMIT.** Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be

limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- 1) In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of section 4.02 INFORMATION TO BE OBTAINED AND MAINTAINED.
- 2) Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
- 3) Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any non-residential structure meet the floodproofing criteria for non-residential structures in section 4.02(C)(3) NONRESIDENTIAL CONSTRUCTION.
- 4) Description of the extent to which any watercourse will be altered or relocated.
- 5) Base Flood Elevation data for subdivision proposals or other development when required per sections 3.02 PERMIT REVIEW and 4.01(E).
- 6) Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
- 7) The amount and location of any fill or excavation activities proposed.

3.04 VARIANCE PROCEDURE

The issuance of a variance is for floodplain management purposes only. Flood insurance premium rates are determined by federal statute according to actuarial risk and will not be modified by the granting of a variance.

A) CONDITIONS FOR VARIANCES

- 1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of sections 3.04(A)(3) and (5), and 3.04(B). As the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases.
- 2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 3) Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
- 4) Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;

- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
- 5) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation of historic structures will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 - 6) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of section 3.04(A) (2) – (6) are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- B) VARIANCE NOTIFICATION. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risks to life and property. Such notification and a record of all variance actions, including justification for their issuance shall be maintained in accordance with section 3.02 INFORMATION TO BE OBTAINED AND MAINTAINED.

4. PROVISIONS FOR FLOOD HAZARD REDUCTION

4.01 GENERAL STANDARDS

In all special flood hazard areas, the following standards shall be adhered to:

- A) ALTERATION OF WATERCOURSES. Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with sections 3.02 WATERCOURSE ALTERATIONS and 3.02 REQUIREMENT TO SUBMIT NEW TECHNICAL DATA.
- B) ANCHORING.
- 1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - 2) All manufactured dwellings shall be anchored per section 4.02 MANUFACTURED DWELLINGS.
- C) CONSTRUCTION MATERIALS AND METHODS
- 1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

- 2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

D) UTILITIES AND EQUIPMENT

1) WATER SUPPLY, SANITARY SEWER, AND ON-SITE WASTE DISPOSAL SYSTEMS

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

- 2) ELECTRICAL, MECHANICAL, PLUMBING, AND OTHER EQUIPMENT. Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above one (1) foot above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall:

- a. If replaced as part of a substantial improvement shall meet all the requirements of this section.

3) TANKS

- a. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
- b. Above-ground tanks shall be installed at or above one (1) foot above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

E) SUBDIVISION PROPOSALS & OTHER PROPOSED DEVELOPMENTS

- 1) All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals, Base Flood Elevation data.
- 2) All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:
 - a. Be consistent with the need to minimize flood damage.

- b. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
 - c. Have adequate drainage provided to reduce exposure to flood hazards.
- 3) **USE OF OTHER BASE FLOOD DATA.** When Base Flood Elevation data has not been provided in accordance with section 2.02 the local floodplain administrator shall obtain, review, and reasonably utilize any Base Flood Elevation data available from a federal, state, or other source, in order to administer section 4.0. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of section 4.01 SUBDIVISION PROPOSALS & OTHER PROPOSED DEVELOPMENTS.

Base Flood Elevations shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more, whichever is lesser in any A zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided Base Level Engineering data, and photographs of past flooding, etc... where available including project- and site-specific engineering studies. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

- 4) **STRUCTURES LOCATED IN MULTIPLE OR PARTIAL FLOOD ZONES.** In coordination with the State of Oregon Specialty Codes:
- a. When a structure is located in multiple flood zones on the community's Flood Insurance Rate Maps (FIRM) the provisions for the more restrictive flood zone shall apply.
 - b. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.
- 5) **CRITICAL FACILITIES.** Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three (3) feet above the Base Flood Elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

4.02 SPECIFIC STANDARDS FOR RIVERINE (INCLUDING ALL NON-COASTAL) FLOOD ZONES

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in section 4.01 of this ordinance.

- A) **FLOOD OPENINGS.** All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements. Enclosed areas below the Base Flood Elevation, including crawl spaces shall:
- 1) Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;

- 2) Be used solely for parking, storage, or building access;
- 3) Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
 - a. A minimum of two openings,
 - b. The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,
 - c. The bottom of all openings shall be no higher than one foot above grade.
 - d. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area.
 - e. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

B) GARAGES

- 1) Attached garages may be constructed with the garage floor slab below the Base Flood Elevation (BFE) in riverine flood zones, if the following requirements are met:
 - a. If located within a floodway the proposed garage must comply with the requirements of this section.
 - b. The floors are at or above grade on not less than one side;
 - c. The garage is used solely for parking, building access, and/or storage;
 - d. The garage is constructed with flood openings in compliance with section 4.02 FLOOD OPENINGS to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - e. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 - f. The garage is constructed in compliance with the standards in section 4.01 GENERAL STANDARDS; and
 - g. The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
- 2) Detached garages must be constructed in compliance with the standards for appurtenant structures in section 4.02 APPURTENANT (ACCESSORY) STRUCTURES or non-residential structures in section 4.02 depending on the square footage of the garage.

C) FOR RIVERINE (NON-COASTAL) SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATIONS. In addition to the general standards listed in section 4.01 the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

1) BEFORE REGULATORY FLOODWAY. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

2) RESIDENTIAL CONSTRUCTION.

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at or above one (1) foot above the Base Flood Elevation (BFE).
- b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in section 4.02.

3) NON-RESIDENTIAL CONSTRUCTION

- a. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall:
 1. Have the lowest floor, including basement elevated at or above one (1) foot or above the Base Flood Elevation (BFE); Or, together with attendant utility and sanitary facilities,
 2. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 3. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 4. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth section 3.02 INFORMATION TO BE OBTAINED AND MAINTAINED.
- b. Non-residential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in section 4.02 FLOOD OPENINGS.
- c. Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one (1) foot below.

4) MANUFACTURED DWELLINGS

- a. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with section 4.02 FLOOD OPENINGS;
- b. The bottom of the longitudinal chassis frame beam shall be at or above Base Flood Elevation;
- c. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;
- d. Electrical crossover connections shall be a minimum of twelve (12) inches above Base Flood Elevation (BFE).

5) RECREATIONAL VEHICLES. Recreational vehicles placed on sites are required to:

- a. Be on the site for fewer than 180 consecutive days, and
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements of section 4.02 MANUFACTURED DWELLINGS, including the anchoring and elevation requirements for manufactured dwellings.

6) APPURTENANT (ACCESSORY) STRUCTURES. Relief from elevation or floodproofing requirements for residential and non-residential structures in Riverine (Non-Coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

- a. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in section 4.02 FLOODWAYS.
- b. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;
- c. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
- d. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;

- e. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- f. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in section 4.02 FLOOD OPENINGS;
- g. Appurtenant structures shall be located and constructed to have low damage potential;
- h. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with section 4.01 TANKS.
- i. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

7) BELOW-GRADE CRAWL SPACES

- a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required flood openings stated in 4.02(A). Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
- b. The crawlspace is an enclosed area below the Base Flood Elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
- c. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.
- d. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
- e. The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.
- f. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height

according to the engineering analyses and building code requirements for flood hazard areas.

- g. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.
 - h. The velocity of floodwaters at the site shall not exceed five (5) feet per second for any crawlspace. For velocities in excess of five (5) feet per second, other foundation types should be used.
- D) FLOODWAYS. Located within the special flood hazard areas established in section 2.02 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
- 1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:
 - a. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge; Or,
 - b. If an encroachment proposal resulting in an increase in Base Flood Elevation meets the following criteria:
 - 1. Is for the purpose of fish enhancement,
 - 2. Does not involve the placement of any structures (as defined in section 5.0) within the floodway,
 - 3. Has a feasibility analysis completed documenting that fish enhancement will be achieved through the proposed project,
 - 4. Has a maintenance plan in place to ensure that the stream carrying capacity is not impacted by the fish enhancement project,
 - 5. Has approval by the National Marine Fisheries Service, the State of Oregon Department of Fish and Wildlife, or the equivalent federal or state agency, and
 - 6. Has evidence to support that no existing structures will be negatively impacted by the proposed activity;
 - 2) A Conditional Letter of Map Revision (CLOMR) may be required prior to approval of a floodplain permit for development that encroaches within the floodway and results in an

increase in BFE. The CLOMR must be applied for and approved by the Federal Insurance Administrator, and the requirements established under Volume 44 of the Code of Federal Regulations, section 65.12 are fulfilled.

- 3) All new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of this section.

E) **STANDARDS FOR SHALLOW FLOODING AREAS.** Shallow flooding areas appear on FIRMs as AO zones with depth designations or as AH zones with Base Flood Elevations. For AO zones the base flood depths range from one (1) to three (3) feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow.

For both AO and AH zones, adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

- 1) **STANDARDS FOR AH ZONES.** Development within AH Zones must comply with the standards in sections 4.01, 4.02 and 4.02(E)(1).

- 2) **STANDARDS FOR AO ZONES.** In AO zones, the following provisions apply in addition to the requirements in sections 4.01 and 4.02(E)(1):

- a. New construction and substantial improvement of residential structures and manufactured dwellings within AO zones shall have the lowest floor, including basement, elevated above the highest grade adjacent to the building, at minimum to or above one (1) foot above the depth number specified on the Flood Insurance Rate Maps (FIRM) – (at least two (2) feet if no depth number is specified). For manufactured dwellings the lowest floor is considered to be the bottom of the longitudinal chassis frame beam.

- b. New construction and substantial improvements of non-residential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, to or above one foot (1) above the depth number specified on the Flood Insurance Rate Maps (FIRMS) – (at least two (2) feet if no depth number is specified); or

2. Together with attendant utility and sanitary facilities, be completely floodproofed to or above one foot (1) above the depth number specified on the FIRM or a minimum of two (2) feet above the highest adjacent grade if no depth number is specified, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as stated in section 4.02 **NONRESIDENTIAL CONSTRUCTION.**

- c. Recreational vehicles placed on sites within AO Zones on the community's Flood Insurance Rate Maps (FIRM) shall either:

1. Be on the site for fewer than 180 consecutive days, and
 2. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 3. Meet the elevation requirements of section 4.02 STANDARDS FOR AH ZONES, and the anchoring and other requirements for manufactured dwellings of section 4.02 MANUFACTURED DWELLINGS.
- d. In AO zones, new and substantially improved appurtenant structures must comply with the standards in section 4.02 APPURTENANT (ACCESSORY) STRUCTURES.
- e. In AO zones, enclosed areas beneath elevated structures shall comply with the requirements in section 4.02 FLOOD OPENINGS.

5. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage.

- A) **Appeal:** A request for a review of the interpretation of any provision of this ordinance or a request for a variance.
- B) **Area of shallow flooding:** A designated Zone AO, AH, AR/AO or AR/AH on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- C) **Area of special flood hazard:** The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard".
- D) **Base flood:** The flood having a one percent chance of being equaled or exceeded in any given year.
- E) **Base flood elevation (BFE):** The elevation to which floodwater is anticipated to rise during the base flood.
- F) **Basement:** Any area of the building having its floor subgrade (below ground level) on all sides.
- G) **Below-grade crawl space:** Means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed four (4) feet at any point.
- H) **Building:** See "Structure".

- I) **Critical facility:** Means a facility for which even a slight change of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste.
- J) **Development:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- K) **Elevated building:** Means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- L) **Flood or Flooding:**
- 1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
 - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
 - 2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.
- M) **Flood elevation study:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- N) **Flood Insurance Rate Map (FIRM):** The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- O) **Flood Insurance Study (FIS):** See "Flood elevation study".
- P) **Flood proofing:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.
- Q) **Floodplain or flood prone area:** Any land area susceptible to being inundated by water from any source. See "Flood or flooding".
- R) **Floodplain administrator:** The community official designated by title to administer and enforce the flood plain management regulations.

- S) **Floodplain management:** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
- T) **Floodplain management regulations:** Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- U) **Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."
- V) **Functionally dependent use:** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.
- W) **Hazardous material:** The Oregon Department of Environmental Quality defines hazardous materials to include any of the following:
- 1) Hazardous waste as defined in ORS 466.005;
 - 2) Radioactive waste as defined in ORS 469.300, radioactive material identified by the Energy Facility Siting Council under ORS 469.605 and radioactive substances defined in ORS 453.005;
 - 3) Communicable disease agents as regulated by the Health Division under ORS Chapter 431 and 433.010 to 433.045 and 433.106 to 433.990;
 - 4) Hazardous substances designated by the United States Environmental Protection Agency (EPA) under section 311 of the Federal Water Pollution Control Act, P.L. 92-500, as amended;
 - 5) Substances listed by the United States EPA in section 40 of the Code of Federal Regulations, Part 302 – Table 302.4 (list of Hazardous Substances and Reportable Quantities) and amendments;
 - 6) Material regulated as a Chemical Agent under ORS 465.550;
 - 7) Material used as a weapon of mass destruction, or biological weapon;
 - 8) Pesticide residue;
 - 9) Dry cleaning solvent as defined by ORS 465.200(9).
- X) **Highest adjacent grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- Y) **Historic structure:** Any structure that is:
- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior in states without approved programs.
- Z) **Letter of Map Change (LOMC):** Means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. The following are categories of LOMCs:
 - 1) **Conditional Letter of Map Amendment (CLOMA):** A CLOMA is FEMA's comment on a proposed structure or group of structures that would, upon construction, be located on existing natural ground above the base (1-percent-annual-chance) flood elevation on a portion of a legally defined parcel of land that is partially inundated by the base flood.
 - 2) **Conditional Letter of Map Revision (CLOMR):** A CLOMR is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.
 - 3) **Conditional Letter of Map Revision based on Fill (CLOMR-F):** A CLOMR-F is FEMA's comment on a proposed project that would, upon construction, result in a modification of the special flood hazard area through the placement of fill outside the existing regulatory floodway.
 - 4) **Letter of Map Amendment (LOMA):** An official amendment, by letter, to the Flood Insurance Rate Maps (FIRMs) based on technical data showing that an existing structure, parcel of land or portion of a parcel of land that is naturally high ground, (i.e., has not been elevated by fill) above the base flood, that was inadvertently included in the special flood hazard area.
 - 5) **Letter of Map Revision (LOMR):** A LOMR is FEMA's modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the SFHA. The LOMR officially revises the FIRM or FBFM, and sometimes the Flood Insurance Study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
 - 6) **Letter of Map Revision based on Fill (LOMR-F):** A LOMR-F is FEMA's modification of the special flood hazard area shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.
 - 7) **PMR:** A PMR is FEMA's physical revision and republication of an effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS) report. PMRs are generally based on physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.

- AA) **Lowest floor:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
- BB) **Manufactured dwelling:** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home".
- CC) **Manufactured dwelling park or subdivision:** A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.
- DD) **Mean sea level:** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.
- EE) **New construction:** For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City of Mosier and includes any subsequent improvements to such structures.
- FF) **Recreational vehicle:** A vehicle which is:
- 1) Built on a single chassis;
 - 2) 400 square feet or less when measured at the largest horizontal projection;
 - 3) Designed to be self-propelled or permanently towable by a light duty truck; and
 - 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- GG) **Regulatory floodway:** See "Floodway".
- HH) **Sheet flow area:** See "Area of shallow flooding".
- II) **Special flood hazard area:** See "Area of special flood hazard".
- JJ) **Start of construction:** Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- KK) **Structure:** For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.
- LL) **Substantial damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- MM) **Substantial improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
- 1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - 2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- NN) **Variance:** A grant of relief by the City of Mosier from the terms of a floodplain management regulation.
- OO) **Violation:** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- PP) **Water dependent:** Means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of intrinsic nature of its operations.
- QQ) **Water surface elevation:** The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

CITY OF MOSIER CITY ORDINANCE NO. _____

AN ORDINANCE ADOPTING FLOOD HAZARD REGULATIONS THAT REFLECT THE 2024 OREGON MODEL FLOODPLAIN MANAGEMENT ORDINANCE AND DECLARING AN EMERGENCY TO MEET STATE AND FEDERALLY MANDATED ADOPTION DEADLINES.

WHEREAS, The United States Department of Homeland Security’s Federal Emergency Management Agency (FEMA) and the Oregon Department of Land Conservation and Development (DLCD) have directed Cities to adopt either a Biological Option or the 2024 update to the State of Oregon Model Flood Hazard Ordinance to regulate development within flood hazard zones before July 22, 2025; and

WHEREAS, The City has chosen to adopt the 2024 update to the State of Oregon Model Flood Hazard Ordinance; and

WHEREAS, The City Council held a legislative public hearing to discuss and adopt the 2024 update to the State of Oregon Model Flood Hazard Ordinance; and

WHEREAS, Exhibit 1 contains the City of Mosier’s 2024 update to the State of Oregon Model Flood Hazard Ordinance and these regulations will be stand-alone and not part of Mosier’s Zoning Ordinance (Title 15); and

WHEREAS, An emergency exists so that these regulations must be in place to meet the state and federally mandated adoption deadline of July 22, 2025.

NOW THEREFORE, THE CITY OF MOSIER ORDAINS AS FOLLOWS:

Section 1: Adoption of Floodplain Regulations. Exhibit 1 contains floodplain regulations. This exhibit is adopted as part of this Ordinance.

Section 2: Effective Date. The City declares an emergency and the regulations of this Ordinance shall become effective immediately.

PASSED by the Council this 16th day of July, 2025.

APPROVED by the Mayor this _____ day of July, 2025.

ATTEST

Amy Szilagyi, City Recorder / Date

G. Witt Anderson, Mayor of Mosier / Date