



# CITY OF TROUTDALE

“Gateway to the Columbia River Gorge”

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Court  
Troutdale, OR 97060-2078

**Tuesday, October 13, 2020 – 7:00PM**

**Mayor**  
Casey Ryan

**City Council**  
David Ripma  
Randy Lauer  
Jamie Kranz  
Glenn White  
Nick Moon  
Zach Hudson

**City Manager**  
Ray Young

**City Recorder**  
Sarah Skroch

#### Meeting Participation During COVID-19 Social Distancing Order

**Watch on T.V:** City Council Regular Meetings will be broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

**Watch on Zoom:** Submit an email to [info@troutdaleoregon.gov](mailto:info@troutdaleoregon.gov) by 5:00pm on Monday, October 12<sup>th</sup> to request to be sent an invitation to watch via Zoom.

**Submit Written Public Comment:** Written public comment can be submitted via email to [info@troutdaleoregon.gov](mailto:info@troutdaleoregon.gov) and must be received by 5:00pm on Monday, October 12<sup>th</sup>.

**In-Person Public Attendance:** Members of the public may attend the meeting in person. Attendees will be required to wear a mask and be spaced a minimum of 6 feet apart. The number of people in the room shall not exceed 25.

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer, and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council.*
3. **CONSENT AGENDA:**
  - 3.1 **MOTION:** A motion to appoint Councilor Mark Clark of Wood Village as the Three Cities representative to the Port of Portland Citizen Noise Advisory Committee.
4. **PRESENTATION:** A discussion concerning the Fairview Community Food Market.  

Councilor Hudson,  
James Donahue &  
Mayor Brian Cooper, Fairview
5. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance amending Troutdale Municipal Code Title 6 (Animals).  

Chris Damgen, Community Development Director &  
Joe Storagee, Code Compliance Officer
6. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance to adopt text amendments to Troutdale Municipal Code Chapter 2.08 – Rules of the City Council.  

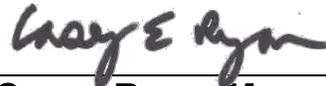
Ray Young, City Manager

7. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance amending Troutdale Municipal Code Title 12 – Public Works. Ray Young, City Manager

8. **STAFF COMMUNICATIONS**

9. **COUNCIL COMMUNICATIONS**

10. **ADJOURNMENT**



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**Casey Ryan, Mayor**

**Dated: October 6, 2020**

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page [www.troutdaleoregon.gov](http://www.troutdaleoregon.gov) or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A motion to appoint Councilor Mark Clark of Wood Village as the Three Cities representative to the Port of Portland Citizen Noise Advisory Committee.

**MEETING TYPE:**  
City Council Regular Mtg.

**STAFF MEMBER:**  
Ray Young

**MEETING DATE:**  
October 13, 2020

**DEPARTMENT:**  
Executive

**ACTION REQUIRED:**  
Consent Agenda - Motion

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**

**PUBLIC HEARING:**  
No

N/A

**Comments:**

**STAFF RECOMMENDATION:** Approve Councilor Mark Clark of Wood Village to another 3 year term on the Port of Portland Citizen Noise Advisory Committee

**EXHIBITS:** N/A

**SUBJECT / ISSUE RELATES TO:**

Council Goals

Legislative

Other (describe)

**ISSUE / COUNCIL DECISION & DISCUSSION POINTS:**

- ◆ Should Councilor Clark continue to represent the three Cites
- ◆ Are there other qualified candidates for the position who would be better

**BACKGROUND:**

The Port of Portland’s Citizen Noise Advisory Committee (CNAC) is the official forum to address the community’s aircraft noise concerns. Local jurisdictions and the Port of Portland appoint the 15-member committee to represent residential and business concerns. CNAC was organized in 1998 as an official Port of Portland advisory committee on aircraft noise issues.

CNAC members review noise abatement projects, provide input for the implementation of the current Portland International Airport Noise Compatibility Plan, develop ideas and recommend proposals for consideration in future airport noise plans, participate on advisory committees

Reviewed and Approved by City Manager:

involved in long-range airport facilities and capital improvement planning, and promote citizen understanding of airport noise issues.

### **The Committee's Charge**

- Report in an advisory capacity to the Director of Aviation for Portland International Airport, through the Manager of the Noise Management Office.
- Act on behalf of local jurisdictions as the official forum to address community noise concerns.
- Monitor and provide input on the implementation of the current Portland International Airport Noise Compatibility Plan.
- Review airport noise issues and provide input or recommendations on issue resolution and follow-up action.
- Develop ideas and recommend proposals for consideration in future airport noise plans.
- Participate on advisory committees involved in long-range airport facilities and capital improvement planning.
- Enhance citizen understanding of airport noise management through the work of the CNAC as a whole.
- Periodically brief the Port of Portland Commission on the committee's work.

### **Organization of the Committee**

The advisory committee consists of 15 members.

- Eleven committee members will be selected by local jurisdictions in the region, representing residential and business interests in their jurisdiction, as follows:

City of Portland	3 members
City of Vancouver	2 members
City of Gresham	1 member
Combined cities of Fairview, Troutdale and Wood Village	1 member
Multnomah County	1 member
Clark County	1 member
Washington County	1 member
Clackamas County	1 member

- The Port will name four members from within the four-county region to provide geographic balance and environmental representation on the Advisory Committee.

The cities of Troutdale, Fairview and Wood Village are jointly given one position on the CNAC. Councilor Clark is currently finishing his 3 year term as of November 2020. He has stated a desire to serve another 3-year term. The Mayor was consulted on the appointment to this non-city committee and had no objection to the reappointment.

**PROS & CONS:**

Pros:

- Continues experienced representation on the CNAC
- Councilor Clark is willing to serve

Cons:

- Confirms another 3 year period that Troutdale will not have a citizen on the committee

<b>Current Year Budget Impacts:</b> <input type="checkbox"/> Yes ( <i>describe</i> )    x N/A
<b>Future Fiscal Impacts:</b> <input type="checkbox"/> Yes ( <i>describe</i> )                    x N/A
<b>City Attorney Approved:</b> <input type="checkbox"/> Yes                    x N/A
<b>Community Involvement Process:</b> <input type="checkbox"/> Yes ( <i>describe</i> ) x N/A

**Agenda Item #4**  
**10/13/20 Council Meeting**

The Honorable County Chair Deborah Kafoury  
The Honorable Commissioner Sharon Meieran  
The Honorable Commissioner Susheela Jayapal

The Honorable Commissioner Jessica Bega Pederson  
The Honorable Commissioner Lori Stegmann

Cc: Mayor of Gresham

October 7, 2020

Dear Multnomah County Commissioners:

We are the Mayors of Fairview, Wood Village, and Troutdale. We are writing to urge the Multnomah County Board of County Commissioners to provide immediate relief for the free food, and food distribution needs in our Cities.

Since the Governor's Declaration of Emergency due to Coronavirus (COVID-19) Outbreak in Oregon on March 8, 2020 (Executive Order 20-03) we have seen our free food systems adapt and shift to meet the changing requirements for distribution. This system is based heavily on the networks established by Reynold's School District in coordination with Multnomah County's Sun Site program, and with hard fought distribution from local church and volunteer organizations.

At this time, many of our local food providers are experiencing historic lows in their food reserves. Some have stopped service to our area while others have had to reduce. Complicating matters further, The Oregon Food Bank is unable to accept new partners to distribute food, and the most recent version of the Farm to Families Food Box Program is scheduled to end on October 31.

Our food programs need support and stability. Over the summer, Reynold's School District was the only district in Multnomah County to provide free lunches to anyone in the community that came and sought food. We believe Reynold's made this courageous decision to shoulder the additional cost because they are aware of the enormous need. Many families in our area do not participate in the federal SNAP program, while others receive SNAP but struggle to secure transportation to travel to grocery stores, or other food box programs.

We ask that Multnomah County help to stabilize the existing free food programs by executing a contract with the Sunshine Division, similar to the one that the City of Portland has obtained to purchase and deliver food boxes on a weekly basis to food programs through the end of December 2020. We ask that there be an option to discuss a similar contract from January 2021 – July 2021. In addition, we seek relief for Reynold's School District to fund the transportation cost of delivering free lunches to more local drop off sites throughout our community.

Sincerely,

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Brian Cooper  
Mayor  
City of Fairview

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T. Scott Harden  
Mayor  
City of Wood Village

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Casey Ryan  
Mayor  
City of Troutdale



Dear City of Fairview, Gresham, and Troutdale,

With the help of thousands of new donors who stepped up recently, Sunshine Division has been able to provide over 3 MILLION MEALS to families struggling with the ongoing impact of the COVID crisis. And while we can all be proud of what we have accomplished together, we have much more work ahead.

Right now, as the school year is in full swing, we face a new wave of need. Today, over 100,000 students in the Portland metro area who normally rely on free and reduced-price school meals are at greater risk of going hungry. Thousands of families that depend on sending kids to school while they work will be left short of income. And the many school-based emergency food pantries that provide a vital neighborhood service will, for the most part, be closed. All of this adds up to a new wave of hunger about to hit our neighborhoods.

One of our clients, Crystal, and her children, Briseyda, Angel, and Frida are just one of the many families to share their struggles as the new school year starts. Crystal recently lost her job due to COVID. She and her children have always been self-sufficient, never asking for help until now.

With kids ranging in age from 6 to 16, the challenge of online school is huge. Not only does the need to stay at home impact her ability to find a new job, but the day-to-day challenge of trying to keep up with an online class schedule has piled on extra stress.

“Online school has brought a huge impact on my family,” says Crystal. “I cannot be with all three of my children at the same time when they are doing their online classes. It’s not only hard on me but is also very hard for my kids.”

Thanks to Sunshine Division, Crystal and her kids will have one less thing to worry about as they adjust to a very different school year. Our home-delivered food boxes will help assure the family does not go hungry and will help Crystal keep her focus on her kids; where it should be.

“Thank you so much for all that Sunshine Division has done for us!”, says Crystal. “We are so grateful. The tears I cry are of happiness and relief that we can count on you.”

Unfortunately, Crystal’s story is not unique right now. The struggles she and her children are coping with are reflected in the faces of the thousands of people we see every week who rely on emergency food boxes to help them weather this storm.

With the support of generous community partners like you, we will continue to be here for these families throughout the fall and winter as we support our entire community, especially the children, at a time when they need us the most. At our current pace, we will feed nearly 500,000 families and individuals cumulatively this year, more than 10X the number we usually serve.

If you are in a position to make a gift in support of our crisis response efforts, know that your support will have a significant impact on our ability to continue providing weekly food boxes to people like Crystal and her children, Briseyda, Angel, and Frida.

Thank you for helping us to serve as the bridge between hunger and hope so families and individuals in need may receive free food relief. This has been our vital mission for nearly 100 years, and rarely have we been more needed.

To watch Crystal's story and see first-hand her gratitude for this program, click [HERE](#).

Wishing you continued health in this season,

A handwritten signature in black ink that reads "Kyle Camberg". The signature is written in a cursive, flowing style.

Kyle Camberg  
Executive Director

## The Fairview Community Food Box Program is Moving

During the colder months of October through February, our food box distribution site will be moved to Smith Memorial Presbyterian Church. This will help keep our volunteers warm and safe as the weather changes. There will still be a drive-thru pick up, and for those who might use our walk-in service, we ask that you please enter and exit through the designated doors while wearing a mask.

Beginning, October 3, you can come to the church every Saturday, from 10:30AM – 12:30PM to pick up a free food box until we run out. No documentation is required. If you have questions, you can contact the program leaders at [FairviewCommunityFoodProgram@gmail.com](mailto:FairviewCommunityFoodProgram@gmail.com)



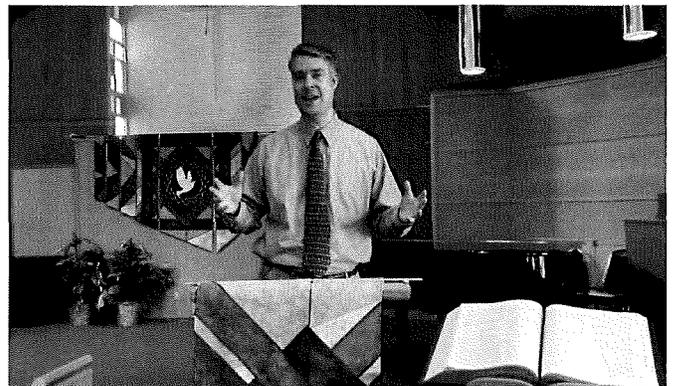
## We Love Our Community

The Fairview community has some really amazing people. And that includes you! This community in which you live has lots of talent, lots of compassion, lots of caring people. And, we are blessed at Smith Memorial Presbyterian Church by your presence. Like you, we want to help people feel valued and loved. And, we are excited to partner together to help make this community a better place to live.

Although our church buildings are closed for in-person gatherings, we are open on the internet for worship and ZOOM bible studies. For more information, go to [www.smithmemorialpres.org](http://www.smithmemorialpres.org)

If you need encouragement, I would be honored to listen and pray with you.

Grace and peace, Pastor Brad



Over the last few months we here at street roots have had the pleasure of supporting the City of Fairview and the coalition built to support their efforts to restart the foodbox programs that have supported over 60 families. We are proud to stand by them now as we look for ways to keep funding , and supporting this imperative work.

For most of these families this is the only assistance or food they are getting. We feel as strongly as the Coalition and City of Fairveiw that the loss of support for this program would put many families in danger.

As someone who has a history of Poverty and Houselessness i can tell you with utmost certainty that food is the cornerstone of a healthy life , and the ability to stay safe in times like we live in now. We here at Street Roots profoundly support and wish to call other to action in supporting such a worthy cause.

Together we can feed the world, and one day with support to programs like this build a world where no family has to go without.



Raven M. Drake

Ambassador Program Manger

[raven@streetroots.org](mailto:raven@streetroots.org)

# Reynolds Meal Services



## Monday–Friday

11:30am - 12:30pm • Elementary Schools

11:30am - 1:00pm • Secondary Schools (Middle/High)

*Any child up to age 18 will be served.*

Meals will be distributed at the following locations:

### Elementary Schools: (11:30am - 12:30pm)

- Alder Elementary School
- Davis Elementary School
- Fairview Elementary School
- Glenfair Elementary School
- Hartley Elementary School
- Margaret Scott Elementary School
- Salish Ponds Elementary School
- Sweetbriar Elementary School
- Troutdale Elementary School
- Wilkes Elementary School
- Woodland Elementary School
- Rockwood Preparatory Academy

### Secondary Schools: (11:30am - 1:00pm)

- HB Lee Middle School
- Reynolds Middle School
- Walt Morey Middle School
- Reynolds High School

### NOTES:

- » Students from RLA, CTP, MLA, Arthur Academy, and 4 Creeks can go to any site listed above.
- » We will be able to release meals to parents/guardians without children present, but will no longer be able to provide adult meals.
- » We will continue to provide breakfast and lunch together each day.
- » Meal distribution is closed on holidays.

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## Lunes a viernes

11:30am a 12:30pm • Escuelas Primarias

11:30am a 1:00pm • Escuelas Secundarias

*Serviremos comidas para todos los niños menores de 18 años.*

La comida se distribuirá en los siguientes lugares:

### Escuelas Primarias: (11:30am a 12:30pm)

- Alder Elementary School
- Davis Elementary School
- Fairview Elementary School
- Glenfair Elementary School
- Hartley Elementary School
- Margaret Scott Elementary School
- Salish Ponds Elementary School
- Sweetbriar Elementary School
- Troutdale Elementary School
- Wilkes Elementary School
- Woodland Elementary School
- Rockwood Preparatory Academy

### Escuelas Secundarias: (11:30am a 1:00pm)

- HB Lee Middle School
- Reynolds Middle School
- Walt Morey Middle School
- Reynolds High School

### NOTAS:

- » Los estudiantes de RLA, CTP, MLA, Arthur Academy y 4 Creeks pueden ir a cualquier sitio mencionado anteriormente.
- » Podremos entregar las comidas a los padres sin los niños no están presentes, pero ya no podremos proporcionar comidas para adultos.
- » Continuaremos proporcionando desayuno y almuerzo juntos todos los días.
- » No se distribuirán comidas los días feriados.

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## Понедельник- Пятница

11:30am - 12:30pm • Начальная школа

11:30am - 1:00pm • Старшеклассники (Средняя школа)

*Любой ребенок до 18 лет может получить обед.*

Обеды будут раздаваться в следующих местах:

### Начальные школы: (11:30am - 12:30pm)

- Alder Elementary School
- Davis Elementary School
- Fairview Elementary School
- Glenfair Elementary School
- Hartley Elementary School
- Margaret Scott Elementary School
- Salish Ponds Elementary School
- Sweetbriar Elementary School
- Troutdale Elementary School
- Wilkes Elementary School
- Woodland Elementary School
- Rockwood Preparatory Academy

### Средние школы: (11:30am - 1:00pm)

- HB Lee Middle School
- Reynolds Middle School
- Walt Morey Middle School
- Reynolds High School

### Заметки:

- » Студенты следующих школ RLA, STP, MLA, Arthur Academy, и 4 Creeks могут получить обед в любой вышеуказанной школе.
- » Мы можем дать обед родителям /опекунам без присутствия детей, но больше не сможем предоставить питание для взрослых.
- » Мы будем предоставлять вместе завтрак и обед ежедневно.
- » Раздача обедов будет закрыта по праздникам.

## Thứ Hai - Thứ Sáu

11:30 sáng - 12:30 trưa • Các trường tiểu học

11:30 sáng - 1:00 trưa • Các trường trung học (cơ sở/phổ thông)

Bất kỳ trẻ em nào cho đến 18 tuổi đều sẽ được phục vụ bữa ăn.

Các bữa ăn sẽ được phân phát ở các địa điểm sau:

### Các trường tiểu học: (11:30 sáng - 12:30 trưa)

- Trường Tiểu Học Alder
- Trường Tiểu Học Davis
- Trường Tiểu Học Fairview
- Trường Tiểu Học Glenfair
- Trường Tiểu Học Hartley
- Trường Tiểu Học Margaret Scott
- Trường Tiểu Học Salish Ponds
- Trường Tiểu Học Sweetbriar
- Trường Tiểu Học Troutdale
- Trường Tiểu Học Wilkes
- Trường Tiểu Học Woodland
- Học Viện Dự Bị Đại Học Rockwood

### Các Trường Trung Học: (11:30 sáng - 1:00 trưa)

- THCS HB Lee
- THCS Reynolds
- THCS Walt Morey
- THPT Reynolds

### GHI CHÚ:

- » Học sinh của Học Viện Reynolds, Chương Trình Chuyển Tiếp Cộng Đồng (CTP), Học Viện Multnomah, Học Viện Arthur, và 4 Creeks có thể đến bất kỳ địa điểm nào được liệt kê ở trên.
- » Chúng tôi sẽ có thể giao các bữa ăn cho phụ huynh/người giám hộ mà không có sự hiện diện của học sinh, nhưng sẽ không cung cấp bữa ăn cho người lớn nữa.
- » Chúng tôi sẽ tiếp tục cung cấp bữa sáng và bữa trưa cùng với nhau mỗi ngày.
- » Phân phát thực phẩm đóng cửa vào các ngày nghỉ lễ.

## Isniinta-Jimcaha

11:30am - 12:30pm • Dugsiyada Hoose

11:30am - 1:00pm • Dugsiyada Sare (Dhexe/Sare)

Ilmo kasta oo ilaa 18 jir ah ayaa la siin doonaa.

Cuntada waxaa lagu qaybin doonaa goobaha soo socda:

### Dugsiyada Hoose: (11:30am - 12:30pm)

- Dugisga hoose ee Alder
- Dugisga hoose ee Davis
- Dugisga hoose ee Fairview
- Dugisga hoose ee Glenfair
- Dugisga hoose ee Hartley
- Dugisga hoose ee Margaret Scott
- Dugisga hoose ee Salish Ponds
- Dugisga hoose ee Sweetbriar
- Dugisga hoose ee Troutdale
- Dugisga hoose ee Wilkes
- Dugisga hoose ee Woodland
- Akaa demiyadda diyaarinta Rockwood

### Dugsiyada Sare: (11:30am - 1:00pm)

- Dugisga dhexe ee HB Lee
- Dugisga dhexe ee Reynolds
- Dugisga dhexe ee Walt Morey
- Dugisga Saree ee Reynolds

### Xasuusnaw:

- » Ardayda ka socota RLA, CTP, MLA, Akadeemiyada Arthur, iyo 4 Creeks ayaa aadi kara goob kasta oo kor ku xusan.
- » Waxaan awood u yeelan doonaa inaan cunnada u sii dayno waalidiinta ardayda masuulka ka ah iyadoon carruur joogin, laakiin mar dambe ma awoodi doonno inaan siino cunno kuwa qaangaar ah.
- » Waxaan sii wadi doonaa inaan siino quraac iyo qado wada jir maalin kasta.
- » Goobaha qaybinta cuntada waa xeraan doonaan maalmaha fasaxa.

## الإثنين، الجمعة

المدارس الابتدائية 11:30am - 12:30pm

المدارس الثانوية (المتوسطة / الثانوية) 11:30am - 1:00pm

سيتم تقديم أي طفل حتى سن 18 عامًا

: سيتم توزيع الوجبة في المواقع التالية

المدارس الابتدائية: 11:30 صباحًا - 12:30 مساءً

- مدرسة ألدز الابتدائية
- مدرسة ديفيس الابتدائية
- مدرسة فيرفيو الابتدائية
- مدرسة جلينفير الابتدائية
- مدرسة هارتلي الابتدائية
- مدرسة مارغريت سكوت الابتدائية
- مدرسة ساليش بوندس الابتدائية
- مدرسة سويتبرابر الابتدائية
- مدرسة ترونديل الابتدائية
- مدرسة ويلكس الابتدائية
- مدرسة وودلاند الابتدائية
- أكاديمية روكوود التحضيرية

المدارس الثانوية 11:30 صباحًا - 1:00 مساءً

- مدرسة HB Lee Middle School
- مدرسة رينولدز المتوسطة
- مدرسة والت موري المتوسطة
- مدرسة رينولدز الثانوية

: ملاحظات

- » وأكاديمية مولتنوماه التعليمية وأكاديمية آرثر و 4 كريكس الانتقال إلى أي موقع مذكور أعلاه. (CTP) يمكن للطلاب من أكاديمية رينولدز التعليمية وبرنامج الانتقال المجتمع
- » سوف نكون قادرين على تقديم وجبات الطعام للآباء / الأوصياء بدون وجود أطفال ، ولكن لن نتمكن بعد الآن من تقديم وجبات البالغين.
- » سنواصل تقديم وجبتي الإفطار والغداء معًا كل يوم.
- » يتم إغلاق توزيع الوجبات في أيام العطلات



**DOING  
THE MOST  
GOOD™**

## **THE SALVATION ARMY**

**Gresham Corps & Community Center**

473 SE 194<sup>th</sup> Ave.  
Portland, OR 97233  
P.O.Box 1350  
Gresham, OR 97030

**WILLIAM BOOTH**  
Founder

**BRIAN PEDDLE**  
General

**KENNETH G. HODDER**  
Territorial Commander

**NANCY DIHLE**  
Divisional Commander

September 22, 2020

To: Mr. James Donahue

Re: Farm to Table Food

Dear Mr. Donahue,

Thank you for contacting the Salvation Army Gresham Corps to talk about how we can better serve our community on the East-Side Portland. Thank you for your food program in the Fairview area in helping those families in need. Moving forward, The Salvation Army Gresham Corps can help your food program in a couple of ways: Supply bread every Saturday and fresh food on the first Saturday of each month.

Our initial conversation was to share Farm to Table boxes. Unfortunately, we just heard that the Farm to Table food boxes giving cycle has ended. We would, however, like to be a part of the Farm to Table food boxes if they plan to offer it again. At this point, I have not heard if they are going to continue it.

Farm to Table food boxes was such a blessing to our community, because of all the items – including fresh food, inside their boxes. Until we hear anything from Farm to Table and USDA, we'll continue to serve alongside your program to help our community.

Thank you for all that you and may God continue to bless you and your team!

Sincerely,

Celestine Ruwelhin, Major  
Corps Officer  
Cell - 808-896-4119



URBAN GLEANERS  
FOOD FOR ALL

October 5, 2020

To whom it may concern,

Urban Gleaners as an organization and clients of Urban Gleaners' have been impacted dramatically by the COVID-19 crisis. We generally serve 4,750 people across 67 sites throughout the Portland area. During Oregon's school closures and restaurant restrictions, our program was dually impacted; we temporarily lost access to all but 15 of our distribution sites at schools and over 90% of the food that we generally receive from grocery stores, restaurants and corporate campuses (e.g., Nike, Adidas, Airbnb, Moda Center) has become unavailable. Our food levels have been at an all time record low, resulting in our organization purchasing food for the first time in our 15 year history. We lost our volunteer base due to social distancing, having to increase staff hours to cover the gaps. Our program expenses have grown exponentially.

These unprecedented times have cut our capacity to distribute wholesome, healthy food to food insecure children and their families by an alarming amount. We do not have the ability to commit to feeding a certain amount of people each week, like the 75 families in Fairview, due to the restraints this global pandemic has placed on our organization.

It is our belief and hope that more assistance and funding from the county and state become available to organizations like ours and the people of Fairview.

Kindly,

Clare Stager,  
Program Director



THE CITY OF  
**TROUTDALE**  
OREGON  
EST. 1907

# STAFF REPORT

**SUBJECT:** An Ordinance Amending Troutdale Municipal Code Title 6 (Animals)

<b>MEETING TYPE:</b>	City Council - Regular Meeting	<b>MEETING DATE:</b>	October 13, 2020
<b>PRESENTER:</b>	Chris Damgen Joe Storagee	<b>DEPARTMENT / AFFILIATION:</b>	Community Development
<b>ACTION REQUIRED:</b>	Ordinance - Introduction	<b>PUBLIC HEARING:</b>	Yes
<b>COMMITTEE / COMMISSION RECOMMENDATION:</b>	N/A		-
<b>STAFF RECOMMENDATION:</b>	Approval		-

**Exhibits:**

- A. Draft Code – Chapter 6.08 Keeping of Chickens

**Subject Relates to:**

- Council Goals
- Legislative
- Land Use / Development
- Other

Code compliance and quality of life considerations

**Discussion Points:**

- Review the proposed code language.
- Consider testimony provided in the public hearing.
- Debate the pros and cons for allowing the keeping of chickens on property.
- Determine if a permit process is the appropriate mechanism for regulating chickens or if a permit should be required at all.
- Propose any changes to the proposed code language.

**Background:**

The City of Troutdale is seeking to close a loophole in its animal control standards by establishing standards and creating a permit framework for property owners wishing to keep chickens.

In 1998 the City of Troutdale repealed its previous animal control standards and adopted the Multnomah County animal control regulations found in Chapter 13 of the Multnomah County Code (Ordinance 666). In doing so, the City consented to having the County administer and enforce animal control regulations.

In 2004, this authority was amended to allow for the Police Department to issue citations of sections 13.300 to 13.406 of the county standards. The City also maintained the ability to have these cases adjudicated by the Municipal Court. (Ordinance 745) Since the merger of police operations with Multnomah County Sheriff's Office, the Code Compliance Officer has maintained that ability to locally enforce Title 6 as needed.

Multnomah County's animal control standards do not regulate the ability of property owners to keep chickens, which has become an increasingly popular activity. Currently, the County refers those interested in keeping chickens to local standards adopted by cities. Unlike other cities within the County, Troutdale has not adopted local standards. As of now, when Staff are asked by citizens what the standards are for keeping chickens, no effective direction can be given.

Staff is aware of at least a dozen properties in the city where chickens are being kept. While many have not become a nuisance, there have been recent instances where the lack of standards has caused quality of life impacts for neighbors. Having standards in place along with a proper regulatory standard will help the City advise residents on what the allowances may be and provide the City legal leverage to intervene if a property owner is abusing that privilege.

The City is proposing to adopt virtually the same standards that are currently in place with the City of Gresham, with minor differences. The City would also set up a "chicken permit" application through its EnerGov permitting system that would allow the City to review applications and inspect coops and exterior spaces. It also provides a legal mechanism via code compliance investigation and citation to revoke permits if problems occur.

The main risk associated with allowing chickens are increased concerns about attracting rodents and vectors to a property. Concerns about noise can be mitigated by prohibiting the keeping of roosters.

If adopted, regulations for allowing chickens will not supersede any prohibitions on keeping of chickens that may exist within certain covenants, conditions, and restrictions (CC&Rs) or lease agreements found in some of the City's residential subdivisions or apartment complexes.

**Pros & Cons:**

Pros:

- Closes a loophole that allows chickens to be legally kept in the City with certain standards and limitations in place.
- Prohibits roosters.
- Creates siting and sizing requirements for coops and exterior spaces to minimize impact on surrounding properties and neighborhoods.
- Establishes a permit application for the city to properly monitor and inspect coops.
- Will not supersede any prohibitions within subdivision CC&Rs.

Cons:

- If chicken coops and spaces are not properly kept up, they can attract rodents and vectors, leading to nuisance situations.
- Additional regulatory burdens will be placed on staff to monitor properties and respond to complaints, which could escalate if more residents pursue this interest.

**Oversight:**

- *Budget Impact:*     Yes, current year (describe)     Yes, future (describe)     N/A  
-
- *Community Involvement Process:*     Yes (describe)     N/A  
A public hearing will be required at this meeting and the next meeting.
- *Approval by City Attorney:*     Yes     N/A

**Reviewed and Approved by the City Manager:** \_\_\_\_\_



**TITLE 6 – ANIMALS**

**CHAPTER 6.08 – KEEPING OF CHICKENS**

**6.08.010 – Short Title.**

TMC Chapter 6.08 may be cited as the Troutdale Chicken Code.

**6.08.020 – Definitions.**

In addition to the definitions set forth in TMC 1.04.010, for purposes of the Troutdale Chicken Code, the following definitions apply:

- A. “Chicken” means the common domestic fowl (Species: *gallus gallus domesticus*).
- B. “Coop” means a small enclosure for housing chickens.
- C. “Detached Single-Family Dwelling” as defined by the Troutdale Development Code.
- D. “Dwelling Unit” as defined by the Troutdale Development Code
- E. “Rear Yard” as defined by the Troutdale Development Code.
- F. “Rooster” means a male chicken at least four (4) months old or older. This definition includes cockerels between four (4) to twelve (12) months old and capons regardless of age.
- G. “Run” means an enclosed area where chickens may feed or exercise.

**6.08.030 – Keeping of Chickens.**

- A. A person may keep three (3) or fewer chickens with a permit on any one lot or parcel. On the lot or parcel where the three (3) or fewer chickens are kept, the person must have a detached single-family dwelling in which the person resides.
- B. Only chickens at least four (4) months old or older count towards the total of three.
- C. No person shall keep roosters.

**6.08.040 – Enclosures.**

- A. Chickens must be kept in an enclosed coop or run at all times. The coop and run shall be located in the rear yard of the lot or parcel. Variances to the rear yard siting provision may be considered by the Troutdale Planning Commission through a Type III Special Variance application and procedure as identified within the Troutdale Development Code.
- B. The coop shall be located at least 25 feet from dwelling units on a different lot or parcel and at least ten (10) feet from all property lines. Variances from these dimensional standards shall not be considered.
- C. The run shall be located at least ten (10) feet from all property lines. Variances from this dimensional standard shall not be considered.

- D. Chickens must be kept in a covered, enclosed coop between 9:00 p.m. and 7:00 a.m.
- E. The coop shall have at least four (4) square feet of floor space per grown chicken.
- F. The run shall have at least eight (8) square feet of space per grown chicken.
- G. The coop and run must be kept in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, and obnoxious smells and substances.
- H. The coop and run and chickens therein shall not violate chapters contained within Title 8 of this Code or disturb neighboring residents due to noise, odor, damage, or threats to public health.
- I. Chicken feed or any other supplement to support chicken health must be stored in a sealed container that is not penetrable by rodents or other animals.

**6.08.050 – Inspection.**

The manager is authorized to make inspection of property to effectuate the purposes and public benefits of the Troutdale Municipal Code and enforce this Chapter. Authorization to inspect shall be pursuant to Section 8.28.080 of this Code, irrespective of whether a permit has been granted.

**6.08.060 – Permit Requirements.**

- A. No person shall keep chickens under the provisions of this article without first obtaining a permit to keep chickens on their lot or parcel, and paying the permit fee prescribed.
- B. The permit shall be valid for a two-year period with the permit period commencing on the first day of the month a permit is issued and ends on the first day of the same month two years later.
- C. The permit may be revoked by the manager for any violation of the provisions of this article.
- D. The permit fee shall be established by council resolution.
- E. The permit fee may be changed at any time by the city, and all permit fees required shall be payable in advance at the time of application or renewal.
- F. The permit fee is not refundable under any circumstance.
- G. Applications for a permit shall be made to the city on forms prescribed by the Manager. The application shall include a signed statement acknowledging the property owner’s knowledge and consent of the application if the applicant is not the property owner and a signed statement that the applicant will comply with the provisions of this Chapter. The manager shall issue a permit when application has been approved and payment of the required fee has been received. The permit shall be exhibited to a peace officer upon demand.

**6.08.070 – Penalty.**

Violation of any provision of this article may be subject to a fine or penalty in the maximum amount of \$1,000.

# ORDINANCE NO.

## AN ORDINANCE AMENDING TROUTDALE MUNICIPAL CODE TITLE 6 (ANIMALS)

### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City of Troutdale adopted Multnomah County Code standards for animal control in 1998 (Ordinance 666).
2. Current Multnomah County Code standards do not have standards that regulate the allowance of keeping chickens on residential property.
3. Establishing local standards to allow for keeping of chickens will close a loophole in animal control regulations and provide the City legal leverage to administer and enforce standards that ensure the abatement of nuisances and protect quality of life.

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Title 6, Animals of the Troutdale Municipal Code is hereby amended as provided in Attachment A.

Section 2.

**YEAS:**

**NAYS:**

**ABSTAINED:**

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**Casey Ryan, Mayor**

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**Date**

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**Sarah Skroch, City Recorder**  
**Adopted:**

**TITLE 6 – ANIMALS**

**CHAPTER 6.08 – KEEPING OF CHICKENS**

**6.08.010 – Short Title.**

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- G. The coop and run must be kept in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, and obnoxious smells and substances.
- H. The coop and run and chickens therein shall not violate chapters contained within Title 8 of this Code or disturb neighboring residents due to noise, odor, damage, or threats to public health.
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- E. The permit fee may be changed at any time by the city, and all permit fees required shall be payable in advance at the time of application or renewal.
- F. The permit fee is not refundable under any circumstance.
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**6.08.070 – Penalty.**

Violation of any provision of this article may be subject to a fine or penalty in the maximum amount of \$1,000.



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** An Ordinance to adopt text amendments to Troutdale Municipal Code Chapter 2.08 – Rules of the City Council

**MEETING TYPE:**  
City Council Regular Mtg.

**STAFF MEMBER:**  
Ray Young

**MEETING DATE:**  
October 13, 2020

**DEPARTMENT:**  
Executive

**ACTION REQUIRED:**  
Ordinance - Introduction

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**

**PUBLIC HEARING:**  
Yes

N/A

**Comments:**

**STAFF RECOMMENDATION:** First reading, consider and discuss

**EXHIBITS:**

A. Current TMC 2.08 and Various other Cities Same Subject Ordinances

**SUBJECT / ISSUE RELATES TO:**

Council Goals

Legislative

Other (describe)

**ISSUE / COUNCIL DECISION & DISCUSSION POINTS:**

- ◆ Should the City update its Council meeting schedule, location and access ordinance.
- ◆ Should the City update its Council work session ordinance verbiage to be consistent with other municipalities.

Reviewed and Approved by City Manager:

**BACKGROUND:**

The current Troutdale ordinance governing the time, location and access to Council meetings was passed in 1994. In the over 25 years since then there has been changes in the location of City Hall, terminology, and technology. Additionally, with the advent of COVID 19, there has been an increased use of video appearances for meetings. Attached as Exhibit A, for reference, are ordinances from other cities exhibiting a more general approach compared to ours.

Staff is suggesting that the ordinance be updated to reflect these changes. The suggested changes create a more “general” direction on the time and location of meetings, and codifies the use of electronic appearance by Council, staff and citizens. Furthermore, what we currently call “work sessions” (and most other cities do the same) is called a “workshop meeting” in the code.

Finally, the current code dictates that meetings must start at 7:00. With the increased use of video appearances, as a practical matter, it is easier for Council, staff and citizens to appear earlier. No longer do those attending meetings have to worry about getting home from work, eating dinner and changing clothes before they jump in the car and dash off to the Council meetings. While staff is not suggesting 7:00 pm is not a good time to start, but the Council should have flexibility, under the ordinance, to pick a different time.

**PROS & CONS:**

Pros:

- Provides greater flexibility in setting time and location of meetings
- Codifies the appropriateness of electronic participation.

Cons:

- Eliminates the predictability that all Council meetings start at 7:00.

<b>Current Year Budget Impacts:</b> <input type="checkbox"/> Yes ( <i>describe</i> ) <input checked="" type="checkbox"/> N/A
<b>Future Fiscal Impacts:</b> <input type="checkbox"/> Yes ( <i>describe</i> ) <input checked="" type="checkbox"/> N/A Future service costs dependent upon program participation
<b>City Attorney Approved:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
<b>Community Involvement Process:</b> <input type="checkbox"/> Yes ( <i>describe</i> ) <input checked="" type="checkbox"/> N/A

## **Current Troutdale Charter and Ordinances Regarding Meetings**

### **Charter:**

#### CHAPTER IV. - THE COUNCIL

[SECTION 14](#). COUNCIL RULES AND MEETINGS. The council shall, by ordinance, prescribe rules to govern its meetings and proceedings and meet in the city regularly at least once a month at a time and place designated by council's rules, and may meet at other times in accordance with the rules.

### **Current Troutdale Ordinances:**

#### 2.08.010 - Regular council meetings.

Regular council meetings are on the second and fourth Tuesdays of each month at seven p.m. Council meetings are held at Troutdale City Hall, 104 SE Kibling Avenue, Troutdale, Oregon, or at any place that the council may direct. The council shall endeavor to adjourn regular and workshop meetings by ten p.m. or as close thereto as possible.

#### 2.08.040 - Workshop meetings.

Workshop meetings are usually informal sessions to preview upcoming issues, review programs, interview applicants or receive information from staff. Workshop meetings are often held on Tuesday evenings when a regular council meeting is not scheduled. Final decisions on issues can be made at workshops when appropriate. Workshop meetings are scheduled by consensus of the council or direction of the mayor.

(Ord. 608 § 2 (part), 1994)

## **Beaverton**

### **Charter Section 12. MEETINGS.**<sup>1</sup> [SHARE](#)

The council shall hold a regular meeting at least once each month in the city at a time and at a place which it designates. It shall adopt rules for the government of its proceedings. The mayor or two or more members of the council may call special meetings of the council in a manner prescribed by general ordinance adopted by the council.

### **Ordinance 2.11.025 Meeting Time, Frequency, and Location.**<sup>1r</sup>; [SHARE](#)

#### A. Regular Meetings.

1. In General. The City Council shall set a regularly scheduled time for its regular meetings through Council resolution. A majority of City Councilors may individually make a request to the City Recorder to cancel a regular meeting; provided, however, that the City Council must hold a regular meeting at least once each month.
2. Round Table. The City Council may hold a regular meeting that includes, but is not limited to, work sessions in which no final action is taken. Regular meetings that are primarily work sessions are meetings set aside for the City Council to have an in-depth discussion of broader, strategic policy issues.
3. Recording. The City Recorder shall electronically record all regular meetings. The City Recorder may temporarily interrupt Council proceedings if there is an equipment malfunction or other cause of short-term loss of recording.

City of Eugene

**2.007 City Council – Meetings.**

- ┌ (1) Regular meetings of the city council shall be held on the dates and at the times established by the council groundrules.
- (2) The mayor may, or at the request of three councilors, shall, call a special meeting of the council.
- (3) The council groundrules shall provide for the manner of public notice to be given of the time and place for holding meetings of the council and of the boards, committees, commissions and subcommittees of the city, which shall be in compliance with the Oregon public meeting law.
- (4) The council shall hold at least one public hearing prior to taking final action on any ordinance, except where a hearing has been held under Section 7.187, of the Eugene Code, 1971.
- (5) Prior to invoking the forfeiture provision of section 23 of the Eugene Charter of 2002, the council shall cause written notice of its intent to act to be served upon the affected councilor.
- (6) The council shall adopt council groundrules that include, but are not limited to:
- (a) Rules of procedure governing the conduct of all meetings of the council or of any committee appointed by it as set forth in Robert's Rules of Order Revised and the quasi-judicial procedures of this code.
- (b) The dates and times of its meetings.
- (c) The content and order of agendas.
- (d) Requirements for public hearings other than those specified in the Eugene Charter of 2002, this code or state law.
- (7) The council groundrules shall provide for the taking of written minutes of all its meetings in accordance with the public meeting law.

**Charter:**

Section 9. Council - Meetings. The council shall prescribe the time and place of its regular meetings, at least one of which shall be held each month. The mayor or three councilors may call special meetings of the council in a manner prescribed by ordinance.

## Lake Oswego

### 12.02.050 Meetings. I SHARE

4. Date. Regular meetings of the City Council of the City of Lake Oswego, shall be held on the first and third Tuesdays of each month.
5. Time and Place. The time and place of the meetings of the Council shall be specified in the notice of the meeting.
6. Holidays. If any regular meeting day coincides with a legal holiday of the State of Oregon, the regular meeting which would take place on that day shall be convened at the same time and place on the next regular business day.
7. For hearings before the City Council in which by ordinance, regulation or rule the only evidence to be presented to the Council is that which has been previously presented to a City Board or Commission, and the record of that previous proceeding is before the Council for its consideration, oral presentations will be limited to five (5) minutes per person or ten (10) minutes per group representative with an additional five (5) minutes allowed for rebuttal of presentations made by opposing speakers. This subsection does not apply to hearings governed by specific Code provisions.

(Ord. 1656, 02/15/1977; Ord. 1732, Sec. 1, 05/01/1979; Ord. 1757, Sec. 1, 02/11/1980; Ord. 1851, Sec. 24, 11/16/1982; Ord. 1862, Secs. 1-3, 03/15/1983.)

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**GRESHAM REVISED CODE**

**Article 2.12**

**COUNCIL  
PROCEDURE**

- 2.12.010 Meetings.**
- 2.12.020 Presiding Officer.**
- 2.12.030 Voting.**
- 2.12.040 Suspension of Rules.**
- 2.12.050 Reconsideration.**
- 2.12.060 Resolutions.**
- 2.12.070 Motions, Debate, and Withdrawal.**
- 2.12.080 Ordinances.**
- 2.12.090 Rules of Order.**

**2.12.010 Meetings.**

The council shall meet at least twice each month in the Gresham Civic Center.  
(Ord. No. 1722, Amended, 11/20/2012)

**2.12.020 Presiding Officer.**

The mayor shall be the presiding officer, preserve order, and enforce the council rules. The council president shall preside in the absence of the mayor.

**2.12.030 Voting.**

All decisions shall be voted on by affirmation and the result of all votes recorded in alphabetic order. Councilors present when a question is called shall vote unless excused by the council.

**2.12.040 Suspension of Rules.**

No council rule may be added, amended, rescinded or suspended, except by the vote of a majority of council members present at the meeting at which the action is taken.  
(Ord. No. 1475, Amended, 06/01/1999)

## ORDINANCE NO.

### AN ORDINANCE TO ADOPT TEXT AMENDMENTS TO TROUTDALE MUNICIPAL CODE CHAPTER 2.08 – RULES OF THE CITY COUNCIL

#### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Chapter II, Section 5 of the Troutdale City Charter provides: “Powers of the City. The city has all powers that the constitutions, statutes, and common law of the United States and of this state now or hereafter expressly or impliedly grant or allow the city, as fully as through this charter specifically enumerated each of these powers;” and
2. The City Council meeting rules at Chapter 2.08 of the Troutdale Municipal Code are restrictive and more specific than similar rules of other cities in the State of Oregon; and
3. All meetings have been affected due to the impact of the novel COVID-19 virus, and the City Council wishes to amend its rules to allow for electronic appearances by Council, Staff and citizens; and
4. The City Council desires more flexibility in setting the start times of meetings; and
5. “Work sessions” are not defined by state law and the City has “workshop meetings” but does not state what they are, and the City Council wishes to elaborate to further define this municipal code section.

#### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

**Section 1.** Chapter 2.08.020 shall be amended to read as follows:

##### **2.08.010 – Regular council meetings.**

Regular council meetings are on the second and fourth Tuesday of each month at times and locations set by the Mayor. Meetings shall be conducted in public facilities and shall be reasonably accessible to all, Council, staff and the public, in person and electronically. The Council shall endeavor to adjourn regular and work sessions by ten p.m. or as close thereto as possible.

**Section 2.** Chapter 2.08.040 shall be amended to read as follows:

**2.08.040 – Work Sessions**

The City Council may hold regular or special meetings that provide an opportunity for the council to discuss issues and policies, called “work sessions.” No final action may be taken during a work session, but work sessions may be held on the same dates (either before or after) regular or special meetings, during which final actions may be taken. Work sessions are meeting times set aside for the City Council to have in-depth discussions of broader, strategic policy issues, and to ask staff questions where appropriate.

**Section 3.** This ordinance shall go into effect on December 1, 2020.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

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**Casey Ryan, Mayor**

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**Date**

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**Sarah Skroch, City Recorder**  
**Adopted:**



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** An Ordinance Creating Utility Discount for Disabled Persons under TMC 12.14

**MEETING TYPE:**  
City Council Regular Mtg.

**STAFF MEMBER:**  
Ray Young

**MEETING DATE:**  
October 13, 2020

**DEPARTMENT:**  
Executive

**ACTION REQUIRED:**  
Ordinance - Introduction

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**

**PUBLIC HEARING:**  
Yes

N/A

**Comments:**

**STAFF RECOMMENDATION:** First reading, consider and discuss

**EXHIBITS:**

- A. TMC Chapter 12.13
- B. City of Bends Utility Financial Assistance Program
- C. Federal SSD Eligibility Guidelines

**SUBJECT / ISSUE RELATES TO:**

- Council Goals                     
  Legislative                                     
  Other (describe)

**ISSUE / COUNCIL DECISION & DISCUSSION POINTS:**

- ◆ Should the City provide a discounted sewer system utility rate for qualified low-income disabled citizens?
- ◆ Are the details of the program sufficiently narrow to provide help to a vulnerable group of disabled citizens, without significantly burdening the City's finances?

Reviewed and Approved by City Manager:

## **BACKGROUND:**

One of the most common areas of concern for disabled citizens is the ability to pay for the necessities of life. There are certain monthly expenses that must be paid for which there is little or no ability to control costs. While a person has some ability to control the monthly cost of their food, electrical use, water use, etc., one bill that is not subject to control is the sewer rate. There are no meters on what a homeowner puts into the sewer system. All residential customer pays the same monthly rate, or ERU (Equivalent Residential Unit) regardless of system use. The monthly ERU for sewer service is \$46.92

Many disabled citizens are also physically limited in their ability to increase their income. More than any other adult age group demographic, aside from senior citizens, their opportunities to work are limited or non-existent. Their primary sources of income are social security, pensions, and savings. While it is unknown what population of “disabled” is struggling financially in Troutdale, we know there are some. It is common for a municipality to have a program to help low income disabled citizens with their utility bills. Attached as Exhibit B is a copy of the City of Bend’s program.

Staff proposes that sewer rates for low income eligible disabled citizens be reduced by half. This would currently be a savings of \$23.46 per month. To many citizens this may seem minor, but to a person, or persons, living completely or partially on Social Security Disability income it means a lot.

The City currently offers a reduced sewer rate for Senior Citizens who qualify based on their income as well. There are currently 33 senior citizens enrolled and the City spends \$ 9,290.16 annually for them. Attached as Exhibit A is a copy of the ordinance creating that program.

To qualify, Staff proposes that the disabled citizen currently be on Federal Social Security Disability (SSD) assistance at the time of application. Staff suggests it is best to use this objective standard which other government agencies use for aid determination, and this makes it straightforward for staff to administer the program. Attached as Exhibit C are the Federal SSD eligibility guidelines.

A maximum income restriction is included in the Ordinance, in addition to an SSD determination. This is to ensure that the overall household income also justifies the benefit. Even though a person in the household may be on SSD, another wage earner in the home could be making substantial income that makes it unfair for the household to receive a City subsidy.

The City’s General Fund would annually reimburse the sewer utility fund so that all the other resident rate payers are not subsidizing the program. Staff’s best “educated guess” is that anywhere from 25-50 households would request the reduction. This would currently represent an annual cost of \$7,038 - \$14,076

**PROS & CONS:**

Pros:

- Provides financial assistance to some of Troutdale’s most vulnerable citizens

Cons:

- Creates a financial burden on the general fund and establishes a precedent of requiring all citizens to financially subsidize one special interest group.

**Current Year Budget Impacts:**  Yes (*describe*)  N/A  
Unknown service costs dependent on first partial year program participation

**Future Fiscal Impacts:**  Yes (*describe*)  N/A  
Future service costs dependent upon program participation

**City Attorney Approved:**  Yes  N/A

**Community Involvement Process:**  Yes (*describe*)  N/A

## Chapter 12.13 - LOW-INCOME SENIOR CITIZEN UTILITY CUSTOMERS<sup>[1]</sup>

**Editor's note**— Ord. No. 856, § 1(Att. A), adopted October 22, 2019, is effective December 1, 2019.

### 12.13.010 - Application—Eligibility.

- A. To the extent that city funds are available and the requirements of this chapter are met, a residential utility customer of the city over the age of sixty-five may make application to obtain reduced monthly charges for use of Troutdale's sewer service. Approved customers shall pay fifty percent of the residential ERU charge.
- B. To be eligible for a rate reduction:
  - 1. The property involved must be occupied and used by the applicant as his or her principal residence during the period of the rate reduction.
  - 2. No city sewer and other city assessments may be in arrears on the property (if owned by applicant or relative).
  - 3. The income of the family residing at the property, of which the applicant is a member, shall not exceed fifty percent of the Multnomah County Median income for the size of the household requesting the assistance.
  - 4. "Family" means one person or two or more persons related by blood, marriage, legal adoption, or guardianship; or a group of not more than five persons, all or part of whom are not related by blood, marriage, legal adoption, or guardianship, living together as a simple housekeeping and economic unit in the dwelling occupying the property for which the reduced rate is applied for.
  - 5. The applicant shall file an application to obtain reduced sewer rates with the city finance director prior to qualifying for reduced sewer rates. The applicant must truthfully answer all questions put to them regarding eligibility, and attach all required documents for all income earners in the household. If approved, the applicant shall re-apply annually.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

### 12.13.020 - Financing of program.

Annually an amount equal to the total amount of rate discounts provided to qualified customers shall be transferred from the city general fund to the sanitary sewer utility fund so as to not place the cost burden of the subsidy on the remaining utility customers.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

### 12.13.030 - Administration.

The city finance director shall be responsible for the administration of this chapter, and may:

- A. Adopt reasonable rules and regulations relating to any matter pertaining to the administration of this chapter;
- B. Prepare and make available all necessary forms;
- C. As frequently as appears appropriate, make such investigation, including a review of all available records relating to household income of applicants for which a rate reduction has been allowed, to ascertain that the applicant continues to meet the eligibility requirements.
- D. Take any all other actions as necessary and appropriate to effectively administer the intent and requirements of this chapter, in compliance with the other chapters of the Troutdale Municipal Code, and the State of Oregon Local Budget Law, Oregon Revised Statutes Chapter 294 Sections 305 to 565.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.040 - Contract.**

The application required under Section 12.13.010 shall be in a form satisfactory to the city attorney and shall contain a signed statement of agreement by the customer to abide by all terms of this chapter and such subsequent rules and regulations as may be adopted.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.050 - Minimum income levels.**

Minimum income levels, below which a utility customer qualifies for a rate reduction, shall be fifty percent of the median family income levels, for the number of family members, as established annually by the U.S. Government's Department of Housing and Urban Development for Multnomah County, or other appropriate measure as determined by the city.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.060 - Termination of rate reduction.**

Reduced sewer rates for customers shall be terminated in the event of the occurrence of any of the following circumstances:

- A. Minimum income levels are exceeded;
- B. Applicant defaults in the performance of the terms and provisions of his or her contract with the city (including delinquency on sewer or other assessments);
- C. Applicant moves from the dwelling;
- D. Applicant (if an owner) sells, trades, or otherwise relinquishes ownership of the dwelling;

- E. Applicant fails to comply with any rule or regulation adopted under this chapter; refuses to provide information to or hinders any investigation by the city finance director into the continued eligibility of the applicant for reduced rates; willfully makes any false or misleading statement in order to obtain or retain a rate reduction; or receives benefits under this chapter with knowledge that he or she does not qualify for such benefits.
- F. An approved reduction in said sewer rate shall only apply to the city's fiscal year for the year in which it is applied for and will expire on June 30 of each year. Renewals must be applied for each year. Any rate discount provided shall commence at the beginning of the next billing cycle after the completed new or renewal application has been properly approved.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.070 - Confidentiality.**

To the maximum extent possible under the law, the applications, records, and other information relating to rate reduction requests shall be kept confidential by the city.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.080 - Appeals.**

Any person aggrieved by a decision of the city finance director under this chapter may appeal such decision to the city manager by serving, within ten days after receipt of the decision of the city finance director, a written notice of appeal specifying the grounds for objection to the decision. The city manager shall consider the matter and may sustain, modify, or reverse the decision of the city finance director. The city manager's decision is final.

(Ord. No. 856, § 1(Att. A), 10-22-2019)

#### **12.13.090 - Violation—Penalty.**

- A. A violation of this chapter shall be punishable by a fine not to exceed two hundred dollars.
- B. Each violation of a separate provision of this chapter shall constitute a separate offense and each day that a violation of this chapter is committed or permitted to continue shall constitute a separate offense.
- C. The conviction of any person for violation of this chapter shall not act to relieve such person from the requirement to pay the full regular sewer rates for the entire period he or she was unqualified for reduced rates. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the city under other sections of this chapter.

# Exhibit B

10/13/20 Council Mtg. Item #7



CITY OF BEND

## CITY OF BEND SENIOR CITIZEN & DISABLED PERSON REDUCED SEWER AND STORMWATER RATE APPLICATION

NAME AND ADDRESS OF APPLICANT

CITY OF BEND ACCOUNT NUMBER

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER OF APPLICANT

\_\_\_\_\_

\_\_\_\_\_

AGE OF APPLICANT: \_\_\_\_\_ TOTAL NUMBER IN HOUSEHOLD: \_\_\_\_\_

**NOTE:** Senior Citizens age 62 or above and disabled persons under the age of 62, may be eligible for a reduction on stormwater and sewer base charges. The information in this application is for the **CONFIDENTIAL** use of the City of Bend. If you have any difficulty completing this form, please contact the Utilities Billing Department at 541-388-5515 for assistance. The City reserves the right to require proof of income or disability. **See below for eligibility requirements.**

**TOTAL HOUSEHOLD INCOME (before deductions):** \_\_\_\_\_

This includes the combined income of all persons living in the residence, regardless of age. See the income limitations and list of income sources. **Include a copy of your latest statement of benefits from the Social Security Administration, State and Federal tax returns, or other proof of income (see last page for proof of income requirements).**

**NAME OF GARBAGE COMPANY:** \_\_\_\_\_

(Applicant could be eligible for reduced garbage collection rates.)

**Application will not be processed with incomplete information. Once the application has been processed, if additional information is required, the City staff will notify you of any additional information needed.**

### **Eligibility Requirements:**

Income level is your household income, meaning the combined gross earnings of *all* persons living in the house, per year.

Please complete the application and return it with copies of the following items that apply. Please check the items you will be supplying with your application. Do not enclose originals unless the City of Bend may keep them. See requirements below:

## Senior Discount Check Sheet

Must be the **account holder** and must be 62 years old or above. **OR**  
Must be the **account holder** and if under the age of 62 years old, must be disabled.

### **Income includes the following for each person in the household:**

- A copy of most current federal tax return and all gross income supporting documents
- Supporting Documents
  - May include some, all or more than the examples listed below:
    - A current benefit statement from the Social Security Administration.
    - Verification of any other income being received for each person in the household. Examples: retirement or pension accounts, including 401ks, and IRAs, rental or any other retirement income received.
    - If self-employed, a year to date profit and loss statement and balance sheet.

### **OR all that apply from the list below to support gross income for each person in the household, if tax return is not available:**

- A copy of the two most recent pay stubs from each person in the household **AND** copies of the last three (3) months bank statements for all checking/savings accounts.
- A current benefit statement from the Social Security Administration.
- If you are self-employed, provide a year to date profit and loss statement and balance sheet.
- Verification of any other income being received for each person in the household. Such as, retirement or pension accounts, including 401ks, and IRAs, rental.

### **Income Limits:**

#### Household Size and Income Level

1 person \$42,200 per year

2 persons \$48,250 per year

3 persons \$54,300 per year

4 persons \$60,300 per year

5 persons \$65,150 per year

6 persons \$69,950 per year

7 persons \$74,800 per year

8 persons \$79,600 per year

Each additional household member \$4,800 per year

**Income includes the following:**

1. Payment for services, such as wages salary, commission or fees
2. Income from non-farm self-employment
3. Income from farm self-employment
4. Social Security income
5. Dividends or interest on savings or bonds, income from real estate or trust, or rental income
6. Public assistance or welfare payments
7. Unemployment compensation
8. Government, civilian or military, retirement or pension; or Veteran's payments
9. Private pensions or annuities
10. Alimony or child support payments
11. Regular contributions from persons not living in the household
12. Net royalties
13. Other cash income such as savings account withdrawals

**Age Requirement:**

1. You must be the **account holder** and you must be 62 years old or above.
2. You must be the **account holder** and if under the age of 62 years old you must be disabled.

**Program Notes:**

1. After receiving assistance under this program you will not be eligible for the City's Utility Billing Assistance Program.
2. This reduction is not available if you have received assistance under the City's Utility Billing Assistance Program Program within the past 12 months.
3. Applicants for this program might be eligible for reduced garbage collection rates.

I hereby certify that all of the above information is true and correct to the best of my knowledge and belief.

**DATE:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_

Please return this form to: City of Bend  
Utilities Department  
P.O. Box 1024  
Bend, OR 97709

Questions call: 541-388-5515

Public Records and Confidentiality of Application. By submitting an Application, the Applicant acknowledges that information submitted to the City of Bend is open to public inspection under the Oregon Public Records Law, ORS 192.410 through 192.505. One (1) copy of each original Application shall be kept for the City of Bend for a minimum period of one (1) years. The Applicant is responsible for becoming familiar with and understanding the provisions of the Public Records Law.

The Applicant may identify information submitted to the City as confidential. Prior to submitting such information to the City, the Applicant shall prominently mark in conspicuous letter any information with the words "Confidential Information" and state in writing that the Applicant wishes the material to be held in confidence and the reasons therefore. The City may treat any information so marked as confidential and not subject to public disclosure, to the extent permitted by law. If the City receives any public records request for disclosure of such information, within ten (10) City working days of receiving any such request, the City shall provide the Applicant with written notice of the request, including a copy of the request. The Applicant shall have ten (10) City working days within which to provide a written response to the City, before the City may disclose any of the requested confidential information. Whether the Applicant submits any written response to the City, the City shall retain the final discretion to determine whether to release the receipt of any response from the Applicant prior to releasing such information. The Applicant does not waive any rights to seek a protective order from a court of competent jurisdiction restraining the City from disclosing such information.

.....  
**FOR CITY USE ONLY:**

Denied

Reason \_\_\_\_\_  
\_\_\_\_\_

Received By: \_\_\_\_\_ Date received: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date Approved: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date Approved: \_\_\_\_\_

# Exhibit C

10/13/20 Council Mtg. Item #7



Securing today  
and tomorrow

## Disability Benefits

[SocialSecurity.gov](https://www.SocialSecurity.gov)



## What's inside

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## Disability benefits

Disability is something most people don't like to think about. But the chances that you'll become disabled probably are greater than you realize. Studies show that a 20-year-old worker has a 1-in-4 chance of becoming disabled before reaching full retirement age.

This booklet provides basic information on Social Security disability benefits and isn't meant to answer all questions. For specific information about your situation, you should speak with a Social Security representative.

We pay disability benefits through two programs: the Social Security disability insurance (SSDI) program and the Supplemental Security Income (SSI) program. This booklet is about the Social Security disability program. For information about the SSI disability program for adults, see *Supplemental Security Income (SSI)* (Publication No. 05-11000). For information about disability programs for children, refer to *Benefits For Children With Disabilities* (Publication No. 05-10026). Our publications are available online at [www.socialsecurity.gov](http://www.socialsecurity.gov).

## Who can get Social Security disability benefits?

Social Security pays benefits to people who can't work because they have a medical condition that's expected to last at least one year or result in death. Federal law requires this very strict definition of disability. While some programs give money to people with partial disability or short-term disability, Social Security does not.

Certain family members of disabled workers can also receive money from Social Security. This is explained under "Can my family get benefits" on page 10.

## How do I meet the earnings requirement for disability benefits?

In general, to get disability benefits, you must meet two different earnings tests:

1. A recent work test, based on your age at the time you became disabled; and
2. A duration of work test to show that you worked long enough under Social Security.

Certain blind workers have to meet only the duration of work test.

The following table shows the rules for how much work you need for the recent work test, based on your age when your disability began. We base the rules in this table on the *calendar quarter* in which you turned or will turn a certain age.

The calendar quarters are:

**First Quarter:** January 1 through March 31

**Second Quarter:** April 1 through June 30

**Third Quarter:** July 1 through September 30

**Fourth Quarter:** October 1 through December 31

If you become disabled...	Then you generally need:
In or before the quarter you turn age 24	1.5 years of work during the three-year period ending with the quarter your disability began.
In the quarter after you turn age 24 but before the quarter you turn age 31	Work during half the time for the period beginning with the quarter after you turned 21 and ending with the quarter you became disabled. Example: If you become disabled in the quarter you turned age 27, then you would need three years of work out of the six-year period ending with the quarter you became disabled.
In the quarter you turn age 31 or later	Work during five years out of the 10-year period ending with the quarter your disability began.

The following formula shows how many quarters of coverage you need to meet the duration of work test:

In general, you may take the year you became disabled and subtract the year you attained age 22, in order to get the number of quarters of coverage necessary to meet the duration requirement.

**NOTE:** *You must have a minimum of six quarters of coverage to meet the duration requirement. This minimum requirement for six quarters of coverage is also applicable for those who have not yet attained age 22 and may apply for disability based on their own earnings.*

**NOTE:** *This table is an estimate only and does not cover all situations.*

<b>If you become disabled...</b>	<b>Then you generally need:</b>
Before age 28	1.5 years of work
Age 30	2 years
Age 34	3 years
Age 38	4 years
Age 42	5 years
Age 44	5.5 years
Age 46	6 years
Age 48	6.5 years
Age 50	7 years
Age 52	7.5 years
Age 54	8 years
Age 56	8.5 years
Age 58	9 years
Age 60	9.5 years

## How do I apply for disability benefits?

There are two ways that you can apply for disability benefits. You can:

1. Apply online at **[www.socialsecurity.gov](http://www.socialsecurity.gov)**, or
2. Call our toll-free number, **1-800-772-1213**, to make an appointment to file a disability claim at your local Social Security office or to set up an appointment for someone to take your claim over the telephone. The disability claims interview lasts about one hour. If you're deaf or hard of hearing, you may call our toll-free TTY number, **1-800-325-0778**, between 7 a.m. and 7 p.m. on business days. If you schedule an appointment, we'll send you a Disability Starter Kit to help you get ready for your disability claims interview. The Disability Starter Kit also is available online at **[www.socialsecurity.gov/disability](http://www.socialsecurity.gov/disability)**.

You have the right to representation by an attorney or other qualified person of your choice when you do business with Social Security. More information is in *Your Right To Representation* (Publication No. 05-10075), which is also available from Social Security.

## When should I apply and what information do I need?

You should apply for disability benefits as soon as you become disabled. **Processing an application for disability benefits can take three to five months.** To apply for disability benefits, you'll need to complete an application for Social Security benefits. You can apply online at **[www.ssa.gov/applyfordisability](http://www.ssa.gov/applyfordisability)**. We may be able to process your application faster if you help us by getting any other information we need.

We need all of this information:

- Your Social Security number
- Your birth or baptismal certificate
- Names, addresses, and phone numbers of the doctors, caseworkers, hospitals, and clinics that took care of you, and dates of your visits
- Names and dosage of all the medicine you take
- Medical records from your doctors, therapists, hospitals, clinics, and caseworkers that you already have in your possession
- Laboratory and test results
- A summary of where you worked and the kind of work you did
- A copy of your most recent W-2 Form (Wage and Tax Statement) or, if you're self-employed, your federal tax returns for the past year

In addition to the basic application for disability benefits, you'll also need to fill out other forms. One form collects information about your medical condition and how it affects your ability to work. Other forms give doctors, hospitals, and other health care professionals who have treated you, permission to send us information about your medical condition.

Don't delay applying for benefits if you can't get all of this information together quickly. We'll help you get it.

## Who decides if I am disabled?

We'll review your application to make sure you meet some basic requirements for disability benefits. We'll check whether you worked enough years to qualify. Also, we'll evaluate any current work activities. If you meet these requirements, we'll process your application and forward

your case to the Disability Determination Services office in your state.

This state agency completes the initial disability determination decision for us. Doctors and disability specialists in the state agency ask your doctors for information about your condition. They'll consider all the facts in your case. They'll use the medical evidence from your doctors, hospitals, clinics, or institutions where you've been treated and all other information. They'll ask your doctors about:

- Your medical condition(s)
- When your medical condition(s) began
- How your medical condition(s) limit your activities
- Medical tests results
- What treatment you've received

They'll also ask the doctors for information about your ability to do work-related activities, such as walking, sitting, lifting, carrying, and remembering instructions. Your doctors don't decide if you're disabled.

The state agency staff may need more medical information before they can decide if you're disabled. If your medical sources can't provide needed information, the state agency may ask you to go for a special examination. We prefer to ask your own doctor, but sometimes the exam may have to be done by someone else. Social Security will pay for the exam and for some of the related travel costs.

## How is the decision made?

The state uses a five-step evaluation process, in a set order, to decide if you're disabled.

### **1. Are you working?**

If you're working and your earnings average more than a certain amount each month, you generally won't be

considered to be disabled. The amount (referred to as “substantial gainful activity”) changes each year. For the current figure, see the annual *Update* (Publication No. 05-10003).

If you’re not working, or your monthly earnings average to the current amount or less, the state agency then looks at your medical condition at step two.

## **2. Is your medical condition “severe”?**

For you to be considered to have a disability by Social Security’s definition, your medical condition must significantly limit your ability to do basic work activities — such as lifting, standing, walking, sitting, and remembering — for at least 12 months. If your medical condition isn’t severe, you won’t be considered to be disabled. If your condition is severe, the agency staff begins step three.

## **3. Does your medical condition meet or medically equal a listing?**

Our listing of impairments (the listings) describes medical conditions that we consider severe enough to prevent a person from doing any gainful activity, regardless of age, education, or work experience. Within each listing, experts specify the objective medical and other findings needed to satisfy the criteria of that listing. If your medical condition meets, or medically equals (meaning it is at least equal in severity and duration to), the criteria of a listing, the state agency will decide that you have a qualifying disability. If your medical condition doesn’t meet or medically equal the criteria of a listing, the state agency goes on to step four.

## **4. Can you do the work you did before?**

At this step, the state agency decides if your medical condition(s) prevents you from performing any of your past work. If it doesn’t, agency staff decide you don’t have a qualifying disability. If it does, the state agency proceeds to step five.

## **5. Can you do any other type of work?**

If you can't do the work you did in the past, agency staff look to see if there's other work you can do despite your medical condition(s). The state considers your age, education, past work experience, and any skills you may have that could be used to do other work. If you can't do other work, the state agency decides that you're disabled. If you can do other work, you don't have a qualifying disability.

### **Special rules for blind people**

There are special rules for people who are blind. For more information, ask for *If You Are Blind Or Have Low Vision—How We Can Help* (Publication No. 05-10052).

### **We'll tell you our decision**

When the state agency makes a determination on your case, we'll send a letter to you. If your application is approved, the letter will show the amount of your benefit, and when your payments start. If your application isn't approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it.

### **What if I disagree?**

If you disagree with a decision made on your claim, you can appeal it. The steps you can take are explained in *The Appeals Process* (Publication No. 05-10041), which is available from Social Security.

### **How we'll contact you**

Generally, we mail a letter or call you when we want to contact you about your benefits; but sometimes, a Social Security representative may come to your home. Our representative will show you identification before talking about your benefits. Calling the Social Security office to ask if someone was sent to see you is a good idea.

**If you're blind or have low vision**, you can choose to receive notices from us in one of the following ways:

- Standard print notice by first-class mail
- Standard print notice by certified mail
- Standard print notice by first-class mail and a follow-up telephone call
- Braille notice and a standard print notice by first-class mail
- Microsoft Word file on a data compact disc (CD) and a standard print notice by first-class mail
- Audio CD and a standard print notice by first-class mail
- Large print (18-point size) notice and a standard print notice by first-class mail

For more information, visit our website at **[www.socialsecurity.gov/notices](http://www.socialsecurity.gov/notices)** or call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number at **1-800-325-0778**.

## What happens when my claim is approved?

We'll send a letter to you telling you your application is approved, the amount of your monthly benefit, and the effective date. Your monthly disability benefit is based on your average lifetime earnings. Your first Social Security disability benefits will be paid for the sixth full month after the date your disability began.

Here is an example: If the state agency decides your disability began on January 15, your first disability benefit will be paid for the month of July. Social Security benefits are paid in the month following the month for which they are due, so you'll receive your July benefit in August.

You'll also receive *What You Need To Know When You Get Disability Benefits* (Publication No. 05-10153), which

gives you important information about your benefits and tells you what changes you must report to us.

## Can my family get benefits?

Certain members of your family may qualify for benefits based on your work. They include:

- Your spouse, if he or she is age 62 or older;
- Your spouse at any age, if he or she is caring for a child of yours who is younger than age 16 or disabled;
- Your unmarried child, including an adopted child, or, in some cases, a stepchild or grandchild. The child must be younger than age 18 (or younger than 19 if still in high school);
- Your unmarried child, age 18 or older, if he or she has a disability that started before age 22. The child's disability must also meet the definition of disability for adults.

**NOTE:** *In some situations, a divorced spouse may qualify for benefits based on your earnings, if he or she was married to you for at least 10 years, is not currently married, and is at least age 62. The money paid to a divorced spouse doesn't reduce your benefit or any benefits due to your current spouse or children.*

## How do other payments affect my benefits?

If you're getting other government benefits (including those from a foreign country), the amount of your Social Security disability benefits may be affected. For more information, you should see the following:

- *How Workers' Compensation And Other Disability Payments May Affect Your Benefits* (Publication No. 05-10018)

- *Windfall Elimination Provision* (Publication No. 05-10045)
- *Government Pension Offset* (Publication No. 05-10007)

You can get these publications from our website, or you can contact us to request them.

## What do I need to tell Social Security?

### **If you have an outstanding warrant for your arrest**

You must tell us if you have an outstanding arrest warrant for any of the following felony offenses:

- Flight to avoid prosecution or confinement
- Escape from custody
- Flight-escape

You can't receive regular disability benefits, or any underpayments you may be due, for any month in which there is an outstanding arrest warrant for any of these felony offenses.

### **If you're convicted of a crime**

Tell Social Security right away if you're convicted of a crime. Regular disability benefits, or any underpayments, that may be due aren't paid for the months a person is confined for a crime, but any family members who are eligible for benefits based on that person's work may continue to receive benefits.

Monthly benefits, or any underpayments that may be due, are usually not paid to someone who commits a crime and is confined to an institution by court order and at public expense. This applies if the person has been found:

- Not guilty by reason of insanity or similar factors (such as mental disease, mental defect, or mental incompetence); or
- Incompetent to stand trial.

## **If you violate a condition of parole or probation**

You must tell us if you're violating a condition of your probation or parole imposed under federal or state law. You can't receive regular disability benefits or any underpayment that may be due for any month in which you violate a condition of your probation or parole.

## **When do I get Medicare?**

You'll get Medicare coverage automatically after you've received disability benefits for two years. You can find more information about the Medicare program, in *Medicare* (Publication No. 05-10043).

## **What do I need to know about working?**

After you start receiving Social Security disability benefits, you may want to try working again. Social Security has special rules called work incentives that allow you to test your ability to work and still receive monthly Social Security disability benefits. You can also get help with education, rehabilitation, and training you may need to work.

If you do take a job or become self-employed, tell us about it right away. We need to know when you start or stop work and if there are any changes in your job duties, hours of work, or rate of pay. You can call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

For more information about helping you return to work, go online for *Working While Disabled—How We Can Help* (Publication No. 05-10095). A guide to all our employment supports can be found in *A Summary Guide to Employment Support for Individuals with Disabilities Under the Social Security Disability Insurance and Supplemental Security Income Programs*, also called the

Red Book (Publication No. 64-030). Also visit our website, [www.socialsecurity.gov/work](http://www.socialsecurity.gov/work).

## The Ticket to Work program

Under this program, Social Security and Supplemental Security Income disability beneficiaries can get help with training and other services they need to go to work **at no cost to them**. Most disability beneficiaries are eligible to participate in the Ticket to Work program and can select an approved provider of their choice who can offer the kind of services they need. To learn more about this program, ask for *Your Ticket To Work* (Publication No. 05-10061).

## Achieving a Better Life Experience (ABLE) Account

An Achieving a Better Life Experience (ABLE) account is a tax-advantaged savings account for an individual with a disability. You can use an ABLE account to save funds for many disability-related expenses. Anyone, including the account owner, family, and friends can contribute to the ABLE account. The account owner of an ABLE account must:

- Be eligible for SSI based on disability or blindness that began before age 26; or
- Be entitled to disability insurance benefits, childhood disability benefits, or disabled widow's or widower's benefits, based on disability or blindness that occurred before age 26; or
- Have a certification that disability or blindness occurred before age 26.

The money that you have in your ABLE account (up to and including \$100,000) does not count as a resource under SSI rules. You can use money in an ABLE account

to pay for certain qualified disability expenses, such as those for education, housing, transportation, employment training, employment support, assistive technology, and related services.

Visit [www.ablenrc.org](http://www.ablenrc.org) to get more information on ABLE accounts. The website has information on how to become ABLE ready, a state ABLE program comparison tool and guidance on setting short- and long-term financial goals

***Please note: Social Security provides this section as a courtesy to help notify you of ABLE accounts. However, Social Security is not affiliated with and does not endorse the National Disability Institute or its services.***

## Contacting Social Security

There are several ways to contact us, such as online, by phone, and in person. We're here to answer your questions and to serve you. For more than 80 years, Social Security has helped secure today and tomorrow by providing benefits and financial protection for millions of people throughout their life's journey.

### Visit our website

The most convenient way to conduct Social Security business from anywhere is online at [www.socialsecurity.gov](http://www.socialsecurity.gov). You can accomplish a lot.

- Apply for Extra Help with Medicare prescription drug plan costs.
- Apply for most types of benefits.
- Find copies of our publications.
- Get answers to frequently asked questions.
- When you create a *my* Social Security account, you can do even more.
- Review your *Social Security Statement*.

- Verify your earnings.
- Print a benefit verification letter.
- Change your direct deposit information.
- Request a replacement Medicare card.
- Get a replacement SSA-1099/1042S.
- Request a replacement Social Security card, if you have no changes and your state participates.

## **Call us**

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. Call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

A member of our staff can answer your call from 7 a.m. to 7 p.m., Monday through Friday, if you need to speak with someone. We ask for your patience during busy periods since you may experience a high rate of busy signals and longer hold times to speak to us. We look forward to serving you.

## **Schedule an office visit**

You can find the closest office location by entering your ZIP code on our office locator webpage.

If you are bringing documents for us to see, remember that they must be original or certified copies that are certified by the issuing agency.



Securing today  
and tomorrow

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# ORDINANCE NO.

## AN ORDINANCE AMENDING TROUTDALE MUNICIPAL CODE TITLE 12 – PUBLIC WORKS.

### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City of Troutdale has a responsibility to ensure that utility rates are established such that the users pay the true cost of the service provided.
2. The Council has previously established rates for utilities that accurately reflect the cost to provide the service.
3. There are disabled residents of the City of Troutdale who live on limited incomes that are below the median family income levels for the number of residents in the household and are served by City of Troutdale utilities.
4. Disabled individuals are uniquely inhibited from pursuing either increased or new sources of income due to the physical or mental effects of their disability.
5. Ordinary and necessary annual utility rate increases put financial pressure on disabled persons in low income households.

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Title 12 shall be amended as set forth in Attachment A. The amendment adds a new section, 12.14, to Title 12.

Section 2. This ordinance shall go into effect on December 1, 2020.

**YEAS:**

**NAYS:**

**ABSTAINED:**

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**Casey Ryan, Mayor**

**Date:**

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**Sarah Skroch, City Recorder**

**Adopted:**

CHAPTER 12.14 DISABLED UTILITY CUSTOMERS

12.14.010 APPLICATION—ELIGIBILITY

A. To the extent that City funds are available, and the requirements of this chapter are met, a residential utility customer of the City who is receiving benefits from the federal government under the Social Security disability program may make application to obtain reduced monthly charges for use of Troutdale’s sewer service. Approved customers shall pay fifty percent (50%) of the residential ERU charge.

B. To be eligible for a rate reduction:

1. The property involved must be occupied and used by the applicant as his or her principal residence during the period of the rate reduction.

2. No City sewer and other City assessments may be in arrears on the property (if owned by applicant or relative).

3. The applicant must be determined to be disabled by the Social Security Administration and receiving Social Security Disability benefits

3. The household income of the family residing at the property, of which the applicant is a member, shall not exceed eighty percent (80%) of the Multnomah County Median income for the size of the household requesting the assistance.

4. “Family” means one (1) person or two (2) or more persons related by blood, marriage, legal adoption, or guardianship; or a group of not more than five (5) persons, all or part of whom are not related by blood, marriage, legal adoption, or guardianship, living together as a simple housekeeping and economic unit in the dwelling occupying the property for which the reduced rate is applied for.

5. The applicant shall file an application to obtain reduced sewer rates with the City Finance Director prior to qualifying for reduced sewer rates. The applicant must truthfully answer all questions put to them regarding eligibility, and attach all required documents for all income earners in the household. If approved, the applicant shall re-apply annually.

12.14.020 FINANCING OF PROGRAM

Annually an amount equal to the total amount of rate discounts provided to qualified customers shall be transferred from the City General Fund to the Sanitary Sewer Utility Fund so as to not place the cost burden of the subsidy on the remaining utility customers.

12.14.030 ADMINISTRATION

The City Finance Director shall be responsible for the administration of this chapter, and may:

- A. Adopt reasonable rules and regulations relating to any matter pertaining to the administration of this chapter;
- B. Prepare and make available all necessary forms;
- C. As frequently as appears appropriate, make such investigation, including a review of all available records relating to household income of applicants for which a rate reduction has been allowed, to ascertain that the applicant continues to meet the eligibility requirements.
- D. Take any all other actions as necessary and appropriate to effectively administer the intent and requirements of this chapter, in compliance with the other chapters of the Troutdale Municipal Code, and the State of Oregon Local Budget Law, Oregon Revised Statutes Chapter 294 Sections 305 to 565.

#### 12.14.040 CONTRACT

The application required under Section 12.13.010 shall be in a form satisfactory to the City Attorney and shall contain a signed statement of agreement by the customer to abide by all terms of this chapter and such subsequent rules and regulations as may be adopted.

#### 12.14.050 MINIMUM INCOME LEVELS

Minimum income levels, below which a utility customer qualifies for a rate reduction, shall be eighty percent of the Median Family Income levels, for the number of family members, as established annually by the U.S. Government's Department of Housing and Urban Development for Multnomah County, or other appropriate measure as determined by the City.

#### 12.14.060 TERMINATION OF RATE REDUCTION

Reduced sewer rates for customers shall be terminated in the event of the occurrence of any of the following circumstances:

- A. Minimum income levels are exceeded or no longer considered disabled by the Social Security Administration;
- B. Applicant defaults in the performance of the terms and provisions of his or her contract with the City (including delinquency on sewer or other assessments);
- C. Applicant moves from the dwelling;
- D. Applicant (if an owner) sells, trades, or otherwise relinquishes ownership of the dwelling;
- E. Applicant fails to comply with any rule or regulation adopted under this chapter; refuses to provide information to or hinders any investigation by the City Finance Director into the continued eligibility of the applicant for reduced rates; willfully makes any false or misleading statement in

order to obtain or retain a rate reduction; or receives benefits under this chapter with knowledge that he or she does not qualify for such benefits.

F. An approved reduction in said sewer rate shall only apply to the City's fiscal year for the year in which it is applied for and will expire on June 30<sup>th</sup> of each year. Renewals must be applied for each year. Any rate discount provided shall commence at the beginning of the next billing cycle after the completed new or renewal application has been properly approved.

#### 12.14.070 CONFIDENTIALITY

To the maximum extent possible under the law, the applications, records, and other information relating to rate reduction requests shall be kept confidential by the City.

#### 12.14.080 APPEALS

Any person aggrieved by a decision of the City Finance Director under this chapter may appeal such decision to the City Manager by serving, within ten (10) days after receipt of the decision of the City Finance Director, a written notice of appeal specifying the grounds for objection to the decision. The City Manager shall consider the matter and may sustain, modify, or reverse the decision of the City Finance Director. The City Manager's decision is final.

#### 12.14.090 VIOLATION—PENALTY

A. A violation of this chapter shall be punishable by a fine not to exceed two hundred dollars (\$200.00).

B. Each violation of a separate provision of this chapter shall constitute a separate offense and each day that a violation of this chapter is committed or permitted to continue shall constitute a separate offense.

C. The conviction of any person for violation of this chapter shall not act to relieve such person from the requirement to pay the full regular sewer rates for the entire period he or she was unqualified for reduced rates. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the City under other sections of this chapter.