



**AGENDA**  
**CITY OF GASTON**  
202 1<sup>st</sup> Street, Gaston  
**Budget Committee Meeting #1 &**  
**Regular Council Session**  
**April 21, 2026**  
**6:00 PM**



**BUDGET COMMITTEE MEETING:**

Receive Budget Message 2026-2027

Receive Budget Document

Appointment/Elections:

- 2026 Budget Chair-
- 2026 Co-Chair-

Budget Review: Comments heard at this time,

Budget Committee Dates Review/suggested changes

Adjourn Budget Committee Meeting #1

**REGULAR SESSION 6:20PM**

**CALL TO ORDER-**

**ROLL CALL:**

**CITIZEN COMMUNICATION:**

*Rebecca Chuck Oregon Fish & Wildlife Wapato Wildlife Refuge*

**CONSENT AGENDA:**

April 2026 Payables

March 17, 2026 *-draft-* Work Session

March 17, 2026 *-draft-* Regular Council Session

**ADDITIONS OR DELETIONS:**

**STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:**

**SAFETY REPORT:** *Quarterly-March, June, Sept. & Dec.*

**NEW BUSINESS:**

**Ball Field-Softball/Baseball Use**

- Gaston High School 2026 Fee
- Gaston Youth Sports 2026 Fee

**OLD BUSINESS:**

Employee/Supervisor Review

**COMPLAINTS:**

*Hazardous Vegetation Violations - 304 Church Street 104 3<sup>rd</sup> Street*

*Building Code Violation- 102 Oak Street*

*RV Residence Code Violation: - 303 3<sup>rd</sup> Street & 309 Park Street*

*Excavation Permit 412 Church Street-*

*Enumerated Nuisance/Trash NEW 103 3<sup>rd</sup> Street*

**ADJOURNMENT:**

*Next meeting – Budget Committee Meeting #2 April 28, 2026*

**6:00PM**

## ***Recorders Report March 18, 2026, through April 21, 2026***

An updated Recorders Report will be provided before the meeting in addition to finalizing the Bills payable list-

### ***Financials-***

- *I am working with Heidi to gather end balances from the audited numbers in the 21-22 (current audit that is being worked on) It was announced that she has reached the point to utilizing the end figures and will provide as much as possible on Tuesday (Heidi comes each Tuesday assisting me with finances and other office work). Based on the process in which Mike was performing the monthly finances and month-to-month reports, it was exclusive to him, so she's had to recreate the numbers and prepare them for her own interpretation. Basically, he developed his own way to account for our finances and no one else could take over, so we've had to develop a completely new way of accounting.*
- *I intend to reach out to these companies to solicit interest for upcoming audits:*
  - *Merina and Co. (McMinnville-North Plains)*
  - *Jarrad, Seibert, Pollard & Company LLC (Banks)*
  - *Accuity LLC (Mill City)*

### ***Municipal Court-***

#### ***Water Administration-***

- Meter reading happening Friday the 3<sup>rd</sup> of April.
- 45 bills were not bills were marked for rereads because the new system flagged the accounts. Working with tech support to fix the issue. This is update one of many likely to continue with learning the way around gWorks utility software. Much different than using UBMax.
- I signed a new contract with Ampstun April after discovering that all adjustments throughout the billing software migrated and now reflect expenses regardless if the adjustment was a credit or expense.
  - For Example, Cove Orchard was incorrectly billed so in the old software a credit adjustment was made for over \$800,000 dollars—the bill in gWorks, now reflects a past due amount owed of \$800,000 but this was originally a credit fix. Any bills that have adjustment is now a “past due” amount to their accounts regardless of if it was credit/expense are now only expenses.
- Water Bills were successfully sent out this month, however-due to the ongoing continued issues of Margaret, Heidi, and myself trying to understand and correct many concerns as tech help will quickly (within 2 hours) respond to even small needs,
- Change of name and account for 303 trail street.

### ***Grants/Projects-***

- *Deputy McCreary is working with the post office with installing the new CBU mailboxes on 3<sup>rd</sup> Street and Church Street. (email enclosed)*

### ***Meetings/Trainings/Attendance-***

- MACC meeting on Friday April 3, regarding the Xfinity cable services.

## **Recorders Report March 18, 2026, through April 21, 2026**

### *2026 Primary Elections-*

*4 seats will be coming up for re-election, those seats are (below) first day to file declaration of candidacy is **July 16, 2026**, Nominating Petition Sheet or Filing Fee of \$25 per City Ordinance. - Again, to be included in the voter pamphlet you must file with Washington County along with their fee (believe it's \$25).*

- *Mayor- Bill Martin Four Year term ending 2030*
- *Seat 4- Scott Hoodenpyl Four-year term ending 2030*
- *Seat 5- Mary Slocum Four-year term ending 2030*
- *Seat 6- Margaret Bell- four-year term ending 2030*

### *Building/Development/New Construction-*

- *206 3<sup>rd</sup> Street-2 story garage being built by the homeowners (no updates)*

*Safety-* safety vests and shirts were purchased for public works to use/(or office staff if necessary) but were purchased. 3 shirts, 3 vests that have the city of Gaston written on them.

### *Complaints/Concerns/Issues-*

- *Contractor hired by the property owner has submitted and working to complete the permit requirements. Provided is the plot plan submitted for review. Excavation permit is needed for 412 church street by the property owner for the development of a driveway in which city infrastructure (water lines) is located (see draft permit and cease-and-desist letter attached) by the city attorney until this permit is approved by engineering,*
- *Complaint received on March 4<sup>th</sup> concerning 18wheelers exceeding speed limits all the way from Cherry Grove to Hwy 47 throughout town. (Reported complaint to sheriff's office for the deputy to further investigate.)*
- *Several verbal complaints have been made with walk-ins and several calls concerning the ODOT project regarding the replacement of ADA ramps. Emails have been recently sent out regarding contact information as well as project updates from ODOT concerning the construction work impacting on our local businesses. Councilor Jerry Hoodenpyl has been appointed as the City Contact for weekly updates on the project. Councilor J. Hoodenpyl should be able to provide additional updates at the meeting.*

### *Miscellaneous-*

- *Bob to get a city issued cell phone using the 503-312-8681 number. This is to help with reporting hours etc.*
- *Business License was issued at the 116 Front Street address (old city hall building). No action taken or needed at this time. This prospective business undertaking is from Valentina and Matt Knight with Knight Family Outlet LLC.*
- *As a reminder, I took a week off using vacation time during the week of spring break. That was the same time water bills were sent out with the help of the office volunteer/council member Margaret Bell assisting during my absence.*
- *Looking for Council to make direct decisions on employment – seasonal employee/part time position. Need more clarification on whether we're rehiring the same employee or if we're posting notices (where are said notices) for interviewing and selecting someone to hire. We are running out of recruitment time. Hopefully, get someone in the part time or rehire the same employee by April 1<sup>st</sup> or sooner. Baseball-softball season is upon us.*

## **Recorders Report March 18, 2026, through April 21, 2026**

- *Officially when does the City Park/Ballfield fields OPEN???*
- *The Washington County Community Development Block Grant program is seeking to appoint a city representative for their Board for future block grant recipients. This position is no more than once a month and likely meeting virtually quarterly and then 2-3 times a year to hear presentations and selecting recipients for block grant funds.*
- *Brown Park Use Agreement form requested by the Gaston Fire department for the annual easter egg hunt and returned the Park Use application to schedule the event for April 4<sup>th</sup>.*
- *Request to have available Brown Park gravel parking area (also use of the porta pottie) for establishing a mid-way stop for the BMW car club of America event. Phone call was received discussing the possibility of staggering the 3 or 4 groups 10 minutes apart (10 minutes per group)*
- *As a reminder for anyone looking for safe medication disposal; self-addressed mailing containers and envelopes to properly dispose of expired or unwanted medications are available at City Hall at no cost, also included is sharps containers-again at no cost for anyone looking for such a service.*

City of Gaston  
BUDGET CALENDAR  
Fiscal year 2026-2027  
(Dates are subject to change without notice)

<u>February 17, 2026</u>	Appoint Budget Officer Appoint Budget Committee Adopt Budget Calendar
March 10, 2026	Note in Water Bills recruiting Budget Committee Members
March 27, 2026	Publish First Notice of Budget Committee to Newspaper & City Website <i>2 consecutive weeks</i> (submission deadline is Thursday week prior or 3/19/26) <a href="mailto:westnotices@youroregonnews.com">westnotices@youroregonnews.com</a> (Not more than 30 days before meeting)
April,4, 2026	Second Notice of Budget Committee Meeting to Paper <i>as continued for 2 consecutive weeks</i> (At least 5 days after first notice, but not less than 5 days before the meeting)
April 6, 2024	Budget Document available at City Hall
April 6, 2026	Submit to Washington County Finance LB-1 Financial Summary <a href="mailto:sswashtsec@co.washington.or.us">sswashtsec@co.washington.or.us</a>
<u>April 21, 2026</u>	First Budget Committee Meeting-Appoint Officers, Budget Message
<u>April 28, 2026</u>	Second Budget Committee Meeting, 1 <sup>st</sup> meeting, line-by-line description
<u>May 5, 2026</u>	Third Budget Committee Meeting, 2 <sup>nd</sup> meeting, line-by-line w/1 <sup>st</sup> changes
<u>May 12, 2026</u>	Fourth Budget Committee Meeting, 3 <sup>rd</sup> meeting, line-by-line w/2 <sup>nd</sup> changes
May 22, 2026	Publish Summary of Budget by Committee and Notice of Budget Hearing to Paper (submission deadline is Thursday week prior or 5/14/26) (At least 5 days prior to Meeting and no more than 30 days before Meeting)
<u>June 19, 2026</u>	Budget Hearing held prior to Council Session. Adopt Tax rate & approve budget for Council to review & formally adopt.
<u>June 19, 2026</u>	Resolutions: Adopt Budget Appropriate Funds Levy Tax
July 1, 2026	Submit Tax Certification Documents to the Assessor (LB-50 to Washington & Yamhill Counties) _____
August 1, 2026	Submit Budget Document to County Clerks _____

## JANUARY 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
				<b>1</b>	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	<b>19</b>	20	21	22	23	24	
25	26	27	28	29	30	31	

## FEBRUARY 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
1	2	3	4	5	6	7	<b>Feb 16</b> Presidents' Day
8	9	10	11	12	13	14	<b>Feb 17</b> Appoint Budget Officer Adopt Budget Calendar Appoint Budget Committee Members
15	<b>16</b>	<b>17</b>	18	19	20	21	
22	23	24	25	26	27	28	

## MARCH 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
1	2	3	4	5	6	7	<b>Mar 10</b> Notice in Water Bills Budget Committee Members Recruitment
8	9	<b>10</b>	11	12	13	14	<b>Mar 27</b> Printed 1 <sup>st</sup> Notice of Budget Committee Meeting (2 cons. weeks) <i>(submit to Paper 3/19/26)</i>
15	16	17	18	<b>19</b>	20	21	
22	23	24	25	26	<b>27</b>	28	
29	30	31					

## APRIL 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
			1	2	<b>3</b>	4	<b>Apr 03</b> Good Friday
							<b>Apr 3</b> 2 <sup>nd</sup> Notice of Budget Committee Mtg
<b>5</b>	<b>6</b>	7	8	9	10	11	<b>Apr 05</b> Easter Sunday
							<b>Apr 6</b> Budget Document Available to review
12	13	14	15	16	17	18	<b>Apr 21</b> 1 <sup>st</sup> Budget Committee Meeting
							<b>Apr 28</b> 2 <sup>nd</sup> Budget Committee Meeting
19	20	<b>21</b>	22	23	24	25	
26	27	<b>28</b>	29	30			

## MAY 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
					1	2	<b>May 5</b> 3 <sup>rd</sup> Budget Committee Meeting
							<b>May 12</b> 4 <sup>th</sup> Budget Committee Meeting
3	4	<b>5</b>	6	7	8	9	<b>May 19</b> <i>Additional BCM if necessary</i>
							<b>May 22</b> Printed Summary of Budget
10	11	<b>12</b>	13	<b>14</b>	15	16	& Notice of Budget
							Hearing in Newspaper
17	18	<b>19</b>	20	21	<b>22</b>	23	<i>(submit to paper 5/14/26)</i>
							<b>May 25</b> Memorial Day
24	<b>25</b>	<b>26</b>	27	28	29	30	<b>May 26</b> <i>Additional BCM if necessary</i>
31							

## JUNE 2026

SUN	MO	TUE	WE	THU	FRI	SAT	NOTES:
	1	2	3	4	5	6	<b>June 16</b> Budget Hearing
							Resolutions:
7	8	9	10	11	12	13	Adopt Budget
							Appropriate Funds
14	15	<b>16</b>	17	18	<b>19</b>	20	Levy Tax
21	22	23	24	25	26	27	
28	29	30					
							<b>*send to Assessor 6/1/26</b>
							<b>*send to County Clerk 8/1/26</b>

March 17, 2026  
Work Session  
City of Gaston  
202 1<sup>st</sup> Street

Present: Mayor Bill Martin, Jerry Hoodenpyl, Don Richter, Albert Holcomb, Scott Hoodenpyl, Margaret Bell and Mary Slocum along with Recorder Wenonah Blanchette. Additional members in attendance include Ayla Hoffner, City Engineer Jesse Fields, Bob Dooley.

Mayor Martin called the work session to order at 5:15PM

Albert arrived at 5:31PM

TMDL review and heard comments and updates regarding prior years of data to compile Dirt moved but not stabilized and other concerns with increased mercury levels with specific items noted as:

- Street Sweeping quarterly
- City wide cleanup and inmate work crews as a month cleanup and maintenance.

ODOT Sidewalk between HWY 47 and Matteson Road with the conceptual plan with proposed construction expected in 2027 with a kickoff meeting held at City Hall March 12<sup>th</sup> introducing

City Engineer Jesse Fields discussed Council proposing the next potential project for improvements identified as E. Main Street project due to ongoing erosion controls needed for repairing short term and long term. It is advised to continue with ongoing small repairs while the City works towards main capital improvements with the project as a whole. Funding sources such as grant and matching fund programs will be needed to complete the project.

Updated water main plans project cost spreadsheet was reviewed with the continued ongoing HWY 47 to improve in flows  
Mill Street and Country Mobile stations

Washington water main for in flow gauge.

Main project updates to include  
Emergency power upgrade update. Permanent standby power.

OHA will need to approve the final water master plan  
Contact Ed with L

SDC are only used for increasing capacity cs

Close WS at 6:45PM

\_\_\_\_\_  
Mayor William Martin

Attest: \_\_\_\_\_  
City Recorder Wenonah Blanchette

**March 17, 2026  
Regular Session  
City of Gaston  
202 1<sup>st</sup> Street**

**Present:** Mayor Bill Martin, Jerry Hoodenpyl, Scott Hoodenpyl, Don Richter, Mary Slocum, Albert Holcomb, and Margaret Bell.

**Absent:** None

**Staff:** City Recorder Wenonah Blanchette

Mayor Martin called the meeting to open at 6:02PM with Recorder Blanchette calling roll call with the following:

**I. ROLL CALL: Recorder Blanchette** conducted the roll call for the record with:

Mayor Bill Martin: Present

Councilor Albert Holcomb: Present

Councilor Margaret Bell: Present

Councilor Don Richter: Present

Councilor Mary Slocum: Present

Councilor Scott Hoodenpyl: Present

Councilor Jerry Hoodenpyl: Present

**II. CITIZEN COMMUNICATION:** Oregon Fish and Wapato Wildlife Refuge representative Todd McKinney in attendance provided information to Council of pumping water out of the refuge using the large pump until the need for using the small pump around the end of March possibly pumping water out until the end of April. This is due to increasing recent rainfall in the last 3 days. No action needed or taken.

Ayla Holfner, prospective filer in the next general election for Washington County Commissioner district 4 so present as an audience member announcing her respective run for district 5 position in the 2026 Commissioner Chair for Washington County. No further citizen communication announced.

**CONSENT AGENDA:** Jerry second by don with motion to move forward with vchaning software.

**STAFF REPORTS:**

Police: Callarond passed out coins and reported that

Church Street resident continuing to call in non criminal offences with the complaint heard for

Several complaints for heard on the construction.

Truck was reported to have clipped car turning the

Person reported a scam

Mailboxes concrete pads were poured for installation on March 19

Recorders Report: Recorder Blanchette reported several issues concerning the migration to the new utility water billing software. UB Max Water Billing Software has been used by the city for more than 10 years is no longer available Due to these changes, other office work has been reprioritized and most time spent learning this new software. After further discussion led by Councilor J. Hoodenpyl it was mutually agreed upon, if necessary, to change softwares to a company more specialized for small utility billing software for a more appropriate fit. It was clarified that this software is not exclusively utility billing and is a more interactive government

software that provides amenities for many other city services. That of which the City of Gaston does not provide.

Supervisor report: Councilor S. **Hoodenpyl** provided council with an updated job description for the seasonal public works position with minor changes, mostly removing redundancy references for who is the supervisor is and whom he is reporting to with additional changes include working only five (5) months beginning early spring, (mostly) summer, and early to late fall season depending on the weather with additional supervisor clarification designation Cleaning the bathrooms included in this update. No changes made in the job description that the current position already provides.

Heated discussion heard amongst several councilors specifically Councilor Richter stating he is not in favor for having family members serve on City Council with clarification made that there are no restrictions or conflicts with family members serving on the same council. Other entities adopt restrictions for family members servicing the City as council members. No conflicts of interest of son and father serving on the council at the same time. Further clarification was made announcing conflicts of interest are persons who could financially benefit. No action taken.

Discussion on seasonal public works position with motion made by Councilor **Richter** and second by Councilor **Holcomb** to hire Bob **Dooly** as the City's seasonal employee. Motion carried with further discussion on duties, supervisor position and defining sources of seasonal park work definitions. No other action taken. Motion carried with aye votes: **Holcomb, Martin, Bell, J. Hoodenpyl, Slocum, Richter, and S. Hoodenpyl**. Nay: None--

**III. CONSENT AGENDA:**

Will follow up with the consent agenda at another time next week to review and 0

**IV. ADDITIONS OR DELETIONS** it was suggested to have added to the agenda the discussion to look for repairs and or funding for the

**V.**

**VI.**

**VII. PRESENTATIONS:** *None heard at this time*

Motion to have J. Hoodenpyl contact the heating/hvac system to perform maintenance and enter into a annual contract with second heard by councilor Richter. Motion passed unanimously

**VIII. OLD BUSINESS**

**IX. COMPLAINTS:**

**NEW:** *no updates*

**OLD:**

Hazardous Vegetation letters for 304 Church Street, and 104 3<sup>rd</sup> Street

**Building Code Violations: 102 Oak Street Zone codes with Jerry delivering a letter**

**Jerry discussed his recruitment with hopefully having the school contribute funds for the police services with summer.**

For the Gaston School- All she needs is a letter from the city requiring hazard vegetation

**ADJOURNMENT:** Councilor **Richter** motioned to adjourn the meeting and was seconded by Councilor **Albert** meeting adjourned at 7:10PM

**X. COMPLAINTS:**  
**NEW:** *no updates*

**OLD:**

Hazardous Vegetation letters for 304 Church Street, and 104 3<sup>rd</sup> Street

Building Code Violations: 102 Oak Street

RV Residence Code Violations: 303 3<sup>rd</sup> Street & 309 Park Street

Letters were sent to those in violations of the codes and or nuisance violations. No updates heard.

Table the scheduling of the work session for

Beecher to get a letter for trees and send registered Dave McCuen 103 3<sup>rd</sup> Street

Discussion heard on the 102 Oak Street and the overhang and cover regarding the connection to his property from the

Councilor **J. Hoodenpyl** requested to have an extra night designated as work sessions for holding one meeting every other meeting to help develop a community action plan. With work session beginning January 2026.

**ADJOURNMENT:** Councilor **Richter** motioned to adjourn the meeting and was seconded by Councilor **Slocum** meeting adjourned at 7:10PM

\_\_\_\_\_  
Mayor William Martin

Attest. \_\_\_\_\_

City Recorder Wenonah Blanchette



# CITY OF GASTON

202 1<sup>st</sup> Street, P.O. Box 129,  
Gaston, Oregon 97119 Phone (503)985-3340  
[wenonahb@cityofgaston.com](mailto:wenonahb@cityofgaston.com)



## 2026 City of Gaston City Recorder Wage Declaration and Employment Status

Wenonah Blanchette employed with the City of Gaston October 2012 working as a part time employee with benefits included. Part time hours Wednesday and Thursdays for 16 hours per week. Full-time employment status is January 2013 with probationary period ending April 2013. Hours of work for full time employment begins 8AM through 5PM Monday through Friday with no on-call status. Exceptions to general hours of work include Council meetings and budget committee meetings held no less than one time per month, generally held on the second Wednesday of each month for no less than 2 hours. Work Session Employee is not an at-risk employee.

Beginning January 2024 wages approved per Gaston City Council meeting set for \$28 dollars an hour for a standard 40 hours work week. Overtime computed at 1&1/2 times the hours worked over 40 hours a week, known as Comp Time, and will be used in lieu of overtime. Comp time is encouraged to be used within 60 days of when it is accrued. Salary advances can be made up to 3x per year or as approved by the supervisor and is no more than half of standard gross wages. All salary advances or special requests are subject and require supervisory approval.

### Benefits include:

- PERS (6% withheld by employee's gross wages)
- Medical -Employee + Children (no contribution)
- Dental -Employee + Children (no contribution)
- Vision -Employee + Children (no contribution)
- Overtime/Comp Time
- Vacation-(more than 5 years) 10 hours accrual per month (max 300 hours)
  - October 2014 change to 8 hours per month*
  - October 2017 change to 10 hours per month*
- Sick-8 hours per month (max 240 hours)
- Paid Holidays

Any other State or Federal benefits not included in this statement but required by law  
Amendments or changes to this declaration can be made by the Gaston City Council at any time.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Supervisors Signature

\_\_\_\_\_  
Date



# CITY OF GASTON

202 1<sup>st</sup> Street, P.O. Box 129,  
Gaston, Oregon 97119 Phone (503)985-3340

[www.cityofgaston.com](http://www.cityofgaston.com)



## 2026 Public Works Declaration and Temporary Employment Status

Robert (Bob) Dooley working as a seasonal employee beginning April 1<sup>st</sup> and ending September 30<sup>th</sup> - equivalent to 6 months each year with reconsideration of temporary employment status by the Gaston City Council each year. Hours worked are set by the Supervisor and or agreed to by employee working no more than 32 hours each week, special exceptions to general hours of work include Council meetings or after-hours call outs if necessary. Probationary employment is exempt for temporary employees. Must maintain a current valid driver's license.

Robert (Bob) Dooley:

Beginning April 1<sup>st</sup>, 2025, and ending September 30<sup>th</sup>, 2025, at (\$20) twenty dollars an hour for standard part time with a maximum of (32) thirty-two hours per work week. Paydays are generally the 2<sup>nd</sup> day of the month for the hours worked the month prior. Salary advances are made upon request by the 15<sup>th</sup> of the month equivalent to half of standard gross pay. Call Out time is paid at 1 & ½ times hours worked at a minimum of 2 hours. Overtime will be computed at 1 & ½ times the hours worked over 40 hours per work week-only approved by prior authorization by the City Supervisor. Comp Time will be used in lieu of overtime and encouraged to be used within 60 days of when it is accrued.

Benefits not included for temporary employment status with exception to the following:

**PERS** (*must accrue 500 hours or more per calendar year to qualify*)

Medical- N/A

Dental - N/A

Vision - N/A

**Overtime/Comp Time/Call Out Time**- meets minimum standard over 40 hours per week (if approved)

**Vacation**- N/A

**Sick**-8 hours per month-N/A

**Paid Holidays** -N/A

Any other State or Federal benefits not included in this statement but required by law Amendments or changes to this declaration can be made by Gaston City Council at any time.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Supervisors Signature

\_\_\_\_\_  
Date



RECEIVED  
3/31/2026

*[Handwritten initials]*

AGREEMENT FOR USE OF BROWN PARK

PARTIES: City of Gaston ("Owner")  
P.O. Box 129  
Gaston, OR 97119

Gaston Youth Sports ("Park User")  
P.O. Box 364  
Gaston, OR 97119

RECITALS

- A. The Owner owns and operates Brown Park, located at 104 East Main Street, Gaston, Oregon (the "Park").
- B. The Park has several ball fields and ancillary structures such as dugouts, bleachers, and fencing.
- C. Park User is *[DESCRIBE ORGANIZATION USING PARK]*
- D. Owner desires to allow Park User to use a portion of the Park described as *[NAME FIELD AND OTHER PROPERTY TO BE USED]*.
- E. Park User desires to use the above stated portion of the Park for the purposes stated herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements between them, the parties hereto agree by and between themselves as follows:

1. **Grant of Use / Fee.** The Owner hereby grants to Park User for the uses specified in this Agreement and subject to the terms and conditions of this Agreement, the use of the Park as specified above. The fee for the use of the Park is \$ TBD
2. **Term.** The term of this Agreement is for 17 weeks, commencing on the 1st day of April, 2028, and terminating on the 31st day of July, ~~2023~~ 2026. The field may be used on Monday to Sunday *[INSERT DAY OF WEEK]* from 3 p.m. to 9 p.m. The term shall be for a maximum of 15 weeks or the length of the sporting season, which may include an additional period of use for pre-season practice at the sole discretion of Owner.
3. **Use.** Park User shall only use the Park in accordance with the following:
  - a. The Park may only be used for weekday sports team practices. Weekend use and tournament play requires advance notice and may incur additional rates.
  - b. All practices shall be completed and players shall be off the field(s) before dusk. **No practices may be held after dark.** Use of stadium lights is not authorized for

practices. Any use of stadium lights for games shall require advance notice to Owner and may result in additional charges.

- c. Turface and marking chalk is the responsibility of the Park User.
- d. Only approved drying agents may be used. No wood pellets.
- e. Park user shall provide City with a directory of all staff who will be overseeing the field use, including board members, coaches, and any other staff.
- f. Park User shall perform a background check on all persons who come in contact with children/players. A copy of that shall be provided to City.
- g. Park User shall not store any personal property at the Park.
- h. No unauthorized or privately owned equipment allowed on the field.
- i. A representative of the Park User must be present while participants are present at the Park.
- j. Fields and other areas used by Park User shall be cleaned and all trash removed after every use.
- k. Failure to follow these rules may result in loss of Park User's deposit and immediate termination of the Agreement by Owner.

8. **Limitation of Liability.** Park User acknowledges that it has examined the portion of the Park subject to this Agreement and has satisfied itself as to its condition and further accepts the portion of the Park in the condition existing as of the effective date of this Agreement, AS IS, with all defects, if any. Park User covenants and agrees not to use the Park if it is in other than a safe condition. Owner shall not be responsible for any injury or damages to persons or property that may arise from or be incident to use of the Park by Park User or Park User's agents, employees, guests, or invitees or others who may use the Park at the invitation of any of them.

9. **Indemnification.** Park User shall indemnify and hold the Owner and their officers, employees, and agents harmless from and against all liability of whatever kind arising from or incident to use of the Park by Park User and by Park User's agents, employees, guests, permittees or invitees or any others who may use the Park. Park User's obligation to pay for all costs and expenses shall include those incurred by the Owner in assuming its own defense and/or that of its officers, employees or agents.

10. **Insurance.** Park User shall, at Park User's own expense, at all times during the term of this Agreement, maintain a comprehensive general liability policy with a minimum coverage of \$2,000,000 per occurrence, \$3,000,000 in the aggregate. Said policy shall be provided on an "occurrence" basis. "Claims made" coverage shall not be acceptable. The City shall be named as an additional insured. The insurance shall specifically include participants who will be using the Park and shall extend an endorsement for "Waiver of Subrogation." The policy shall include a provision that it may not be altered, amended, or cancelled without 30 days notice to City.

At least 15 days prior to Park User's use of the Park, proof of insurance coverage shall be provided to City.

11. **Miscellaneous.**

11.1 **Governing Law; Venue; Consent to Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon. Any claim, action, suit or proceeding that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Washington County for the State of Oregon or, if the claim, action, suit or proceeding must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon.

11.2 **Merger Clause; Waiver.** This Agreement and attached exhibits, if any, constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind the parties unless in writing and signed by both parties and any other necessary approvals have been obtained.

11.3 **Amendments.** No amendment to this Agreement is effective unless it is in writing signed by the parties.

11.4 **Attorney Fees.** In the event of any action or proceeding to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees, in addition to costs and disbursements, at arbitration, trial, and on appeal.

11.5 **No Third Party Beneficiaries.** The signatories to this Agreement are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, or is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such persons are individually identified by name herein.

11.6 **Counterparts.** This Agreement may be executed in one or more counterparts, including by signature pages delivered in electronic format, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and date written below.

**OWNER:**

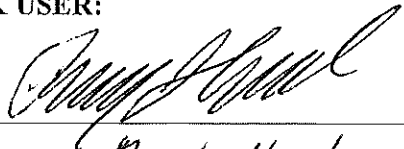


William Martin

Date

Mayor

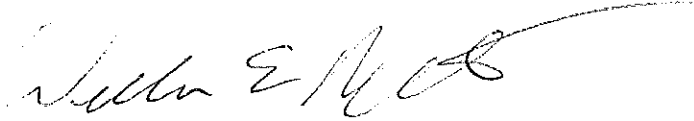
**PARK USER:**

Sign: 

Print Name: Randy Hardenpy

Title: Cyaxton Youth Sports President

Date Signed: 3/30/2026



## Wenonah Blanchette

---

**To:** Cox, Jennifer; ad@gastonk12.org  
**Subject:** Baseball/Softball Field Use Agreement-Signed contract

Hi Gaston School,  
Council will be reviewing the fees/costs towards field use fees and checking to see if you have a signed form for the ball field use? I will be reaching back out Wednesday April 22 with the decided upon cost for this years field use. Again, our insurance folks are wanting to have the signed contract ASAP.

And thank you again for the schedule.

Thank you-

Wenonah Blanchette  
City of Gaston

---

**From:** Cox, Jennifer <coxj@gastonk12.org>  
**Sent:** Tuesday, April 7, 2026 2:21 PM  
**To:** Wenonah Blanchette <wenonahb@cityofgaston.com>  
**Subject:** Re: FW: Spreadsheet shared with you: "Field Use - Schedule"

Here is a screenshot of the spreadsheet.  
I also shared the spreadsheet again with you on your personal email.  
Hope this helps!

Day	Date	Baseball Games	Time
Fri	April 17th	vs. Portland Christian (Doubleheader)	3pm & 4:30pm
Tues	April 21st	vs. Nestucca	4:30 PM
Tues	April 28th	vs Vernonia	4:30 PM
Fri	May 8th	vs Clatskanie (Doubleheader)	3pm & 4:30pm
Tues	May 12th	vs Knappa	4:30 PM
<b>Weekly Practices - M-F 3:30pm-5:30pm</b>			
Day	Date	Softball Games	Time
Tues	April 21st	vs. Nestucca	4:30
Tues	April 28th	vs Vernonia	4:30 PM
Fri	May 8th	vs Clatskanie (Doubleheader)	3pm & 4:30pm
Tues	May 12th	vs Knappa	4:30 PM
<b>Weekly Practices - M-F 3:30pm-5:30pm</b>			

On Tue, Apr 7, 2026 at 1:58 PM Wenonah Blanchette <[wenonahb@cityofgaston.com](mailto:wenonahb@cityofgaston.com)> wrote:

Hi Jennifer,

This is Wenonah at the City recently—like 2 weeks ago we met with the athletic director about the schedule for baseball and softball but looks like someone named ad sent me a spreadsheet, I need help with viewing this document. Actually—anyone sending a document this way, I'm unable to view. Is there a way to gain access if someone from the school shares files? HELP!

Anyways if you can assist in any way it would be much appreciated!

Thanks,

Wenonah

City of Gaston

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**From:** Gaston AD (via Google Sheets) <[drive-shares-dm-noreply@google.com](mailto:drive-shares-dm-noreply@google.com)>  
**Sent:** Thursday, April 2, 2026 9:12 AM  
**To:** Wenonah Blanchette <[wenonahb@cityofgaston.com](mailto:wenonahb@cityofgaston.com)>  
**Subject:** Spreadsheet shared with you: "Field Use - Schedule"

## Gaston AD shared a spreadsheet



Gaston AD ([ad@gastonk12.org](mailto:ad@gastonk12.org)) has invited you to **view** the following spreadsheet:



Hey!

Here is the Baseball and Softball schedule, tried to make it simple and small so it will fit on one piece of paper. Please let know if you have any questions or concerns! Thanks

# City of Gaston

## Account QuickReport

### All Transactions

Type	Date	Num	Name	Memo	Amount
<b>4000004 · Park Fund</b>					
<b>4495014 · Revenue, Misc, Baseball Fee</b>					
Deposit	05/15/2017	0262	Gaston Youth Sports	Field Use Fee for Baseball Players @ 100kids/7 per	700.00
Deposit	04/05/2022	1015		Gaston Youth Sports 2022 1/2 with softball line item	337.50
Deposit	04/30/2022	14049...		Tournament Team Ball field fees 2022 Amber Medina	82.50
Deposit	05/12/2022	1070		1/2 of remaining ball field fees from Gaston Youth Sports	162.50
Total 4495014 · Revenue, Misc, Baseball Fee					1,282.50
Total 4000004 · Park Fund					1,282.50
<b>TOTAL</b>					<b>1,282.50</b>

# City of Gaston Account QuickReport All Transactions

Type	Date	Num	Name	Memo	Amount
<b>4000000 · General Fund</b>					
<b>4495011 · Revenue, Misc, Field Use Fees</b>					
Deposit	06/14/2017	0513113-6		softball/basebal fields	200.00
Deposit	07/11/2018	27818	Gaston Youth Sports	Gaston School District Field Use Payment 2018	2,342.13
Deposit	03/20/2019	1085	Gaston RFD	Gaston Youth Sports Field Use 2018	675.00
Deposit	03/27/2019	90268		Park Permit Fees for Gaston Rural Fire Dept.	400.00
Deposit	04/20/2022	1069		Gaston Youth Sports 2021 Ball Field User Fees	967.50
Deposit	05/23/2024	1123		Gaston Youth Sports Field Use Fees 2024	1,400.00
Total 4495011 · Revenue, Misc, Field Use Fees					
Total 4000000 · General Fund					
<b>TOTAL</b>					<b>5,984.63</b>

2:22 PM

04/01/26

Accrual Basis

# City of Gaston

## Account QuickReport

All Transactions

Type	Date	Num	Name	Memo	Amount
<b>4000004 - Park Fund</b>					
<b>4495015 - Revenue, Misc, Softball Fee</b>					
Deposit	04/05/2022	1015		Gaston Youth Sports 2022 1/2 with baseball line item	337.50
Deposit	05/12/2022	1070		1/2 of remaining ball field fees from Gaston Youth Sports	162.50
Total 4495015 - Revenue, Misc, Softball Fee					500.00
Total 4000004 - Park Fund					500.00
<b>TOTAL</b>					<b>500.00</b>

**ORDINANCE NO. 2017-001**

**AN ORDINANCE DEFINING NUISANCES; DECLARING NUISANCES; PROSCRIBING ABATEMENT PROCEDURES; REPEALING ORDINANCE NO. 97 AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City Council of the City of Gaston finds it necessary to the City, and citizens of the City, to define and proscribe abatement for nuisances affecting public health, safety, peace and welfare;

**WHEREAS**, the City Council further finds that that unsafe, unsanitary, and otherwise improperly maintained premises and structures within the City of Gaston adversely affect the value, utility, and habitability of property in the City, particularly property adjoining and neighboring such nuisance property; and

**WHEREAS**, the City Council finds an emergency exists,

**THE CITY OF GASTON ORDAINS AS FOLLOWS:**

**SECTION 1. DEFINITIONS.** For the purpose of this Ordinance, the following definitions apply:

- A. Person in charge of property:** An owner, agent, occupant, lessee, contract purchaser, or any other person having possession or control of property, including a person responsible for supervision of any construction project.
- B. Person Responsible:** The person responsible for conditions that constitute a nuisance includes:
  - (1) The property owner;
  - (2) The person in charge of property; or
  - (3) Any other person who caused the nuisance to come into or continue in existence.
- C. Public Place:** A building, way, place or accommodation, whether publicly or privately owned, open and available to the general public.
- D. City:** The City of Gaston.
- E. Council:** The governing body of the City.
- F. Person:** A natural person, firm, partnership, association, or corporation

**SECTION 2. NUISANCES AFFECTING PUBLIC HEALTH AND WELFARE.** It is unlawful for any of the following conditions to exist on private property or the public rights of way directly abutting private property:

- A.** Animal carcasses, including untanned or green hides that cause an offensive odor.
- B.** Accumulation of debris, rubbish, manure or other refuse.
- C.** Stagnant water that affords a breeding place for mosquitoes or other insects pests.
- D.** Cesspools or septic tanks that are in an unsanitary condition or that cause an offensive odor.
- E.** Drainage of liquid wastes from private premises.
- F.** Decayed or unwholesome food.

- G. Pollution of a body of water, well, spring, stream, or drainage ditch by sewage, industrial waste or other substances placed in or near the water in any manner that will cause harmful material to pollute the water.
- H. Open vaults or privies constructed and maintained within the City, except those constructed or maintained in connection with construction projects in accordance with State and Health Division regulations.
- I. Any abandoned, unused, inoperable ice box, refrigerator, or similar container in any place accessible to children or within public view.

**SECTION 3. ATTRACTIVE NUISANCES.** No owner or person in charge of property shall permit the following unless there is a current intended use incidental to the property:

- A. Unguarded machinery, equipment or other devices which are attractive, dangerous and accessible to children. If there is a current intended use incidental to the property, reasonable safeguards must be put in place to protect life or serious injury.
- B. Lumber, logs, or pilings placed or stored in a manner so as to be attractive, dangerous and accessible to children. If there is a current intended use incidental to the property, reasonable safeguards must be put in place to protect life or serious injury.
- C. An open cistern, excavation or pit without safeguards or barriers to prevent such places from being accessed by the public. If there is a current intended use incidental to the property, reasonable safeguards must be put into place to protect life or serious injury.
- D. An excavated or portable swimming pool, spa, or hot tub containing or capable of containing water 18 inches or more in depth at any point, without erecting and maintaining an adequate physical barrier sufficient to make such pool inaccessible to unsupervised small children.

**SECTION 4. TREES.** No owner or person in charge of property that abuts on a street or public sidewalk shall permit trees or bushes on the property to interfere with street or sidewalk traffic. An owner or person in charge of property that abuts a street or public sidewalk shall keep all trees and bushes on the premises, including the adjoining parking strip, trimmed so that any overhanging portions are at least eight feet above the sidewalk and at least 14 feet above the roadway.

**SECTION 5. FENCES.**

- A. No owner or person in charge of property shall construct or maintain a barbed-wire fence, or permit barbed wire to remain as part of a fence, along a sidewalk, or public way; except such wire may be placed above the top of other fencing not less than six feet, six inches high.
- B. No owner or person in charge of property shall construct or maintain, or operate an electric fence along the adjoining property line of another person or along a sidewalk.

**SECTION 6. LIVESTOCK, POULTRY, AND BEES.** No person shall:

- A. Maintain a pigsty, slaughterhouse, or tannery, or permit livestock or poultry owned by him to run at large within the City.
- B. Keep a stand or hive of bees on any property within 20 feet of the boundary line of the premises.
- C. Stake or picket any domestic animal in or upon any of the streets, alleys, or public places of the City; or stake or picket an animal so that it may forage or graze upon the property of another without the consent of the owner or occupant of the property.

**SECTION 7. PUBLIC PEACE NUISANCES.** The following are hereby declared as nuisances affecting the public peace.

- A. Advertising on private property: No person may display any advertising matter on or across any private property within the City without express consent of the owner or person in charge of such property.
- B. Accumulation of Junk: The term junk in this section includes old motor vehicle parts, old machinery, or parts thereof, old appliances or parts thereof, old iron, metal, glass, paper, lumber, wood, or other waste or discarded material.
  - 1. No person shall keep any junk out of doors on any street, lot or premises, or in a building that is not wholly or entirely enclosed except doors used for ingress and egress.
  - 2. A duly licensed "junk yard" or "automobile wrecking yard" is exempt from this Section.
- C. Keeping Discarded vehicles.
  - 1. Definitions:
    - i. A "Vehicle" is any device in, upon, or by which any person or property may be transported or drawn upon highway or road.
    - ii. "Discarded" means any vehicle which is in one or more of the following conditions:
      - 1. Inoperable;
      - 2. Abandoned;
      - 3. Wrecked and/or damaged;
      - 4. Junked, dismantled or partially dismantled, including parts of vehicles such as bodies, engines, transmissions, or rear-ends; or
      - 5. Unlicensed.
  - 2. No person shall store or permit the storing of discarded vehicles on any private property for more than 30 days, unless the vehicle is completely enclosed by a building, solid fence, hedge or screen not less than six feet in height.

**SECTION 8. UNENUMERATED NUISANCES.** In addition to those nuisances specifically enumerated in this Ordinance, every other thing, substance or act which is determined by City Council to be injurious or detrimental to the public health, safety or welfare is hereby declared to be a nuisance and may be abated as provided herein.

**SECTION 9. ABATEMENT PROCEDURES.**

A. Notice.

- 1. On determination by the Council that a nuisance exists, the Council shall cause a notice to be posted on the premises or at the site of the nuisance, directing the person responsible to abate the nuisance.
- 2. At the time of posting, the City Reorder shall cause a copy of the notice to be forwarded by registered or certified mail to the person responsible at the person's last known address.
- 3. The notice to abate the nuisance within 10 days from the date of the notice shall include the following:
  - i. A description of the real property, by street address or otherwise, on which the nuisance exists;
  - ii. A direction to abate the nuisance within 10 days from the date of the notice;
  - iii. A description of the conditions constituting a nuisance;

- iv. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement will be charged to the person responsible;
  - v. A statement that failure to abate the nuisance may warrant imposition of a fine, abatement procedures, and costs to be assessed against the property and/or person responsible for the nuisance; and
  - vi. A statement that the person responsible may protest the order to abate by giving written notice to the City Recorder within 10 days from the date of the notice.
4. If the person responsible is not the property owner, an additional notice shall be sent to the property owner at the property owner's address as stated on the last property tax assessment roll with the Washington County Assessor's Office, stating that any cost of abatement may be assessed to and become a lien against the property.
  5. Service shall be deemed complete upon posting. Any error in the name or address of the person responsible shall not make the notice void, and in such case the posted notice shall be sufficient.
- B. Voluntary abatement or protest by the person responsible.**
1. Within 10 days after the posting of notice, the person responsible shall remove the nuisance or show that nuisance condition(s) do not exist.
  2. A person responsible, protesting that no nuisance condition(s) exist, shall file a written statement that specifies the basis for the protest with the City Recorder.
  3. The statement shall be referred to the Council as part of its regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council. The Council shall determine whether a nuisance in fact exists, and the determination shall be entered in the official minutes of the Council. Council determination shall be required only in cases where a written statement has been filed as provided herein. If the written statement is received less than 7 days before the next regular meeting of Council, Council may hear and make a decision on the abatement at the following regular meeting of Council.
  4. If the Council determines that a nuisance in fact exists, the person responsible shall abate the nuisance within 10 days after the Council determination.
- C. Joint responsibility.** If more than one person is a person responsible, they shall be jointly and severally liable for abating the nuisance; for the costs, including attorney fees, incurred by the City in abating the nuisance; and for any fines assessed as a result of the nuisance.
- D. Abatement by the City.**
1. If the nuisance has not been abated by the person responsible within the time allowed, the Council may cause the nuisance to be abated.
  2. The officer charged with abatement of the nuisance may proceed under administrative warrant or any other lawful means to enter into or upon property at reasonable times to investigate or cause the removal of a nuisance.
  3. The City Recorder shall keep an accurate record of the expenses incurred by the City in physically abating the nuisance and shall include a charge of 20 percent in addition to the total abatement costs for administrative expenses.
- E. Assessment of Costs**
1. The City Recorder shall forward to the property owner and the person responsible, by registered or certified mail, a notice stating the following:
    - i. The total costs of abatement, including the administrative costs;

- ii. That the costs will be assessed to and become a lien against the property subject to abatement unless paid within 30 days from the date of the notice; and
    - iii. If the owner or person responsible objects to the cost of the abatement as indicated, a written notice of objection may be filed with the City Recorder not more than 10 days from the date of the notice.
  2. At the next regular meeting of Council after the date of the written notice of objection is received, the Council shall hear and make a decision on the objections to the costs assessed. If the written notice of objection is received less than 7 days before the next regular meeting of Council, Council may hear and make a decision on the costs assessed at the following regular meeting of Council.
  3. If the costs of the abatement are not paid within 30 days from the date of the notice, or within 10 days of Council's decision, if written notice of objection is filed, the assessment of costs shall be made by resolution of the Council and shall be entered in the docket of city liens. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.
  4. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the maximum allowed rate for civil judgments. The interest shall begin to run from the date of entry of the lien in the lien docket
  5. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property.
- F. Summary abatement. The procedure provided by this Ordinance is not exclusive, but is in addition to procedure provided by other City Ordinances and Oregon Revised Statutes. The chief of the fire department, a law enforcement officer, or any other city official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property.
- G. Other abatement procedures. Regardless of the procedures for abatement set forth in this Ordinance, the City may, at its option, cause to be filed in a court of competent jurisdiction a complaint for a violation of this Ordinance. The City shall cause a citation to appear to be personally served upon the person responsible for creating the nuisance. This matter will then be prosecuted by the City attorney as a civil violation.

#### **SECTION 10. PENALTIES.**


- A. Penalties. A violation of a provision of this Ordinance is punishable by a fine not to exceed \$500 per violation.
- B. Separate violations. Each day's violation of a provision of this Ordinance constitutes a separate offence.
- C. Abatement additional remedy. The abatement of a nuisance as herein provide shall not constitute a penalty for a violation of this Chapter, but shall be in addition to any penalty imposed for a violation of this Chapter.

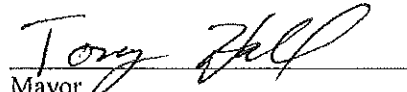
**SECTION 11. SEVERABILITY.** The sections and subsections of this Ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

**SECTION 12. REPEAL.** Ordinance No 97 is hereby repealed.

**SECTION 13. EMERGENCY CLAUSE.** This Ordinance being necessary for the immediate preservation of the public peace, health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its approval by the City Council of the City of Gaston

Approved this 13<sup>th</sup> day of September 2017, by the City Council of the City of Gaston, Oregon.

Attest:   
City Recorder

  
Mayor

**ORDINANCE NO. 2018-001**

**AN ORDINANCE OF THE CITY OF GASTON AMENDING ORDINANCE 2017-001  
PERTAINING TO DEFINING NUISANCES; DECLARING NUISANCES;  
PROSCRIBING ABATEMENT PROCEDURES; REPEALING ORDINANCE NO. 97  
AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council of the City of Gaston has established Ordinance 2017-001 for the regulation of nuisances and setting forth abatement procedures;

WHEREAS, the City Council considers it necessary to amend Ordinance 2017-001 to include trees, obnoxious vegetation, and weeds; and

WHEREAS, the City Council finds an emergency exists;

**THE CITY OF GASTON ORDAINS AS FOLLOWS:**

Ordinance 2017-001 is amended as follows [additions in underline and deletions in ~~strikeout~~]:

**SECTION 1. DEFINITIONS.** For the purpose of this Ordinance, the following definitions apply:

- A. Person in charge of property:** An owner, agent, occupant, lessee, contract purchaser, or any other person having possession or control of property, including a person responsible for supervision of any construction project.
- B. Person Responsible:** The person responsible for conditions that constitute a nuisance includes:
  - 1. The property owner;
  - 2. The person in charge of property; or
  - 3. Any other person who caused the nuisance to come into or continue in existence.
- C. Public Place:** A building, way, place or accommodation, whether publicly or privately owned, open and available to the general public.
- D. City:** The City of Gaston.
- E. Council:** The governing body of the City.
- F. Person:** A natural person, firm, partnership, association, or corporation

**SECTION 2. NUISANCES AFFECTING PUBLIC HEALTH AND WELFARE.** It is unlawful for any of the following conditions to exist on private property or the public rights of way directly abutting private property:

- A.** Animal carcasses, including untanned or green hides that cause an offensive odor.
- B.** Accumulation of debris, rubbish, manure or other refuse.
- C.** Stagnant water that affords a breeding place for mosquitoes or other insects pests.
- D.** Cesspools or septic tanks that are in an unsanitary condition or that cause an offensive odor.
- E.** Drainage of liquid wastes from private premises.
- F.** Decayed or unwholesome food.

- G. Pollution of a body of water, well, spring, stream, or drainage ditch by sewage, industrial waste or other substances placed in or near the water in any manner that will cause harmful material to pollute the water.
- H. Open vaults or privies constructed and maintained within the City, except those constructed or maintained in connection with construction projects in accordance with State and Health Division regulations.
- I. Any abandoned, unused, inoperable ice box, refrigerator, or similar container in any place accessible to children or within public view.

**SECTION 3. ATTRACTIVE NUISANCES.** No owner or person in charge of property shall permit the following unless there is a current intended use incidental to the property:

- A. Unguarded machinery, equipment or other devices which are attractive, dangerous and accessible to children. If there is a current intended use incidental to the property, reasonable safeguards must be put in place to protect life or serious injury.
- B. Lumber, logs, or pilings placed or stored in a manner so as to be attractive, dangerous and accessible to children. If there is a current intended use incidental to the property, reasonable safeguards must be put in place to protect life or serious injury.
- C. An open cistern, excavation or pit without safeguards or barriers to prevent such places from being accessed by the public. If there is a current intended use incidental to the property, reasonable safeguards must be put into place to protect life or serious injury.
- D. An excavated or portable swimming pool, spa, or hot tub containing or capable of containing water 18 inches or more in depth at any point, without erecting and maintaining an adequate physical barrier sufficient to make such pool inaccessible to unsupervised small children.

~~**SECTION 4. TREES.** No owner or person in charge of property that abuts on a street or public sidewalk shall permit trees or bushes on the property to interfere with street or sidewalk traffic. An owner or person in charge of property that abuts a street or public sidewalk shall keep all trees and bushes on the premises, including the adjoining parking strip, trimmed so that any overhanging portions are at least eight feet above the sidewalk and at least 14 feet above the roadway.~~

**SECTION 4. TREES, OBNOXIOUS VEGETATION, AND WEEDS.**

- A. No person, as owner, occupant, or agent in charge of, shall permit on any real property, improved or unimproved, or upon any sidewalk or right-of-way abutting such property, obnoxious vegetation; provided, however, that nothing in this section shall be construed to prohibit bushes, trees, grass, and other shrubbery grown or maintained for ornamental purposes nor shall it prohibit the growth or maintenance of any vegetation designed for food or fuel purposes.
- B. No person, as owner, occupant, or agent in charge of, shall permit on any real property, improved or unimproved, including in any adjoining parking strip, any bush(es) or tree(s) in such a condition that the bush(es) or tree(s) are not trimmed at least eight feet above any sidewalk and at least fourteen feet above any roadway.
- C. The following definitions apply to this section:
  - 1. “Obnoxious Vegetation” includes any of the following:

- i. Grass or weeds more than twelve inches high;
- ii. Poison oak or poison ivy;
- iii. Blackberry vines; or
- iv. Any other vegetation that:
  - 1. Constitutes a fire hazard because it is near combustible material;
  - 2. Extends into a public way or a pathway;
  - 3. Extends across a property line;
  - 4. Is used for habitation by trespassers; or
  - 5. Is conducive to harboring rats, mice, snakes, or vermin.
- 2. “Parking Strip” means the areas between the curb, or in the case where there is no curb, the edge of the roadway, and the abutting property line not improved by surfacing that is intended for the use of pedestrians.

**SECTION 5. FENCES.**

- A. No owner or person in charge of property shall construct or maintain a barbed-wire fence, or permit barbed wire to remain as part of a fence, along a sidewalk, or public way; except such wire may be placed above the top of other fencing not less than six feet, six inches high.
- B. No owner or person in charge of property shall construct or maintain, or operate an electric fence along the adjoining property line of another person or along a sidewalk.

**SECTION 6. LIVESTOCK, POULTRY, AND BEES.** No person shall:

- A. Maintain a pigsty, slaughterhouse, or tannery, or permit livestock or poultry owned by him to run at large within the City.
- B. Keep a stand or hive of bees on any property within 20 feet of the boundary line of the premises.
- C. Stake or picket any domestic animal in or upon any of the streets, alleys, or public places of the City; or stake or picket an animal so that it may forage or graze upon the property of another without the consent of the owner or occupant of the property.

**SECTION 7. PUBLIC PEACE NUISANCES.** The following are hereby declared as nuisances affecting the public peace.

- A. Advertising on private property: No person may display any advertising matter on or across any private property within the City without express consent of the owner or person in charge of such property.
- B. Accumulation of Junk: The term junk in this section includes old motor vehicle parts, old machinery, or parts thereof, old appliances or parts thereof, old iron, metal, glass, paper, lumber, wood, or other waste or discarded material.
  - 1. No person shall keep any junk out of doors on any street, lot or premises, or in a building that is not wholly or entirely enclosed except doors used for ingress and egress.
  - 2. A duly licensed “junk yard” or “automobile wrecking yard” is exempt from this Section.
- C. Keeping Discarded vehicles.
  - 1. Definitions:

- i. A "Vehicle" is any device in, upon, or by which any person or property may be transported or drawn upon highway or road.
  - ii. "Discarded" means any vehicle which is in one or more of the following conditions:
    1. Inoperable;
    2. Abandoned;
    3. Wrecked and/or damaged;
    4. Junked, dismantled or partially dismantled, including parts of vehicles such as bodies, engines, transmissions, or rear-ends; or
    5. Unlicensed.
2. No person shall store or permit the storing of discarded vehicles on any private property for more than 30 days, unless the vehicle is completely enclosed by a building, solid fence, hedge or screen not less than six feet in height.

**SECTION 8. UNENUMERATED NUISANCES.** In addition to those nuisances specifically enumerated in this Ordinance, every other thing, substance or act which is determined by City Council to be injurious or detrimental to the public health, safety or welfare is hereby declared to be a nuisance and may be abated as provided herein.

**SECTION 9. ABATEMENT PROCEDURES.**

**A. Notice.**

1. On determination by the Council that a nuisance exists, the Council shall cause a notice to be posted on the premises or at the site of the nuisance, directing the person responsible to abate the nuisance.
2. At the time of posting, the City Recorder shall cause a copy of the notice to be forwarded by registered or certified mail to the person responsible at the person's last known address.
3. The notice to abate the nuisance within 10 days from the date of the notice shall include the following:
  - i. A description of the real property, by street address or otherwise, on which the nuisance exists;
  - ii. A direction to abate the nuisance within 10 days from the date of the notice;
  - iii. A description of the conditions constituting a nuisance;
  - iv. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement will be charged to the person responsible;
  - v. A statement that failure to abate the nuisance may warrant imposition of a fine, abatement procedures, and costs to be assessed against the property and/or person responsible for the nuisance; and
  - vi. A statement that the person responsible may protest the order to abate by giving written notice to the City Recorder within 10 days from the date of the notice.
4. If the person responsible is not the property owner, an additional notice shall be sent to the property owner at the property owner's address as stated on the last property tax assessment roll with the Washington County Assessor's Office,

stating that any cost of abatement may be assessed to and become a lien against the property.

5. Service shall be deemed complete upon posting. Any error in the name or address of the person responsible shall not make the notice void, and in such case the posted notice shall be sufficient.

**B. Voluntary abatement or protest by the person responsible.**

1. Within 10 days after the posting of notice, the person responsible shall remove the nuisance or show that nuisance condition(s) do not exist.
2. A person responsible, protesting that no nuisance condition(s) exist, shall file a written statement that specifies the basis for the protest with the City Recorder.
3. The statement shall be referred to the Council as part of its regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council. The Council shall determine whether a nuisance in fact exists, and the determination shall be entered in the official minutes of the Council. Council determination shall be required only in cases where a written statement has been filed as provided herein. If the written statement is received less than 7 days before the next regular meeting of Council, Council may hear and make a decision on the abatement at the following regular meeting of Council.
4. If the Council determines that a nuisance in fact exists, the person responsible shall abate the nuisance within 10 days after the Council determination.

**C. Joint responsibility.** If more than one person is a person responsible, they shall be jointly and severally liable for abating the nuisance; for the costs, including attorney fees, incurred by the City in abating the nuisance; and for any fines assessed as a result of the nuisance.

**D. Abatement by the City.**

1. If the nuisance has not been abated by the person responsible within the time allowed, the Council may cause the nuisance to be abated.
2. The officer charged with abatement of the nuisance may proceed under administrative warrant or any other lawful means to enter into or upon property at reasonable times to investigate or cause the removal of a nuisance.
3. The City Recorder shall keep an accurate record of the expenses incurred by the City in physically abating the nuisance and shall include a charge of 20 percent in addition to the total abatement costs for administrative expenses.

**E. Assessment of Costs**

1. The City Recorder shall forward to the property owner and the person responsible, by registered or certified mail, a notice stating the following:
  - i. The total costs of abatement, including the administrative costs;
  - ii. That the costs will be assessed to and become a lien against the property subject to abatement unless paid within 30 days from the date of the notice; and
  - iii. If the owner or person responsible objects to the cost of the abatement as indicated, a written notice of objection may be filed with the City Recorder not more than 10 days from the date of the notice.
2. At the next regular meeting of Council after the date of the written notice of objection is received, the Council shall hear and make a decision on the objections

to the costs assessed. If the written notice of objection is received less than 7 days before the next regular meeting of Council, Council may hear and make a decision on the costs assessed at the following regular meeting of Council.

3. If the costs of the abatement are not paid within 30 days from the date of the notice, or within 10 days of Council's decision, if written notice of objection is filed, the assessment of costs shall be made by resolution of the Council and shall be entered in the docket of city liens. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.
  4. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the maximum allowed rate for civil judgments. The interest shall begin to run from the date of entry of the lien in the lien docket
  5. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property.
- F. Summary abatement. The procedure provided by this Ordinance is not exclusive, but is in addition to procedure provided by other City Ordinances and Oregon Revised Statutes. The chief of the fire department, a law enforcement officer, or any other city official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property.
- G. Other abatement procedures. Regardless of the procedures for abatement set forth in this Ordinance, the City may, at its option, cause to be filed in a court of competent jurisdiction a complaint for a violation of this Ordinance. The City shall cause a citation to appear to be personally served upon the person responsible for creating the nuisance. This matter will then be prosecuted by the City attorney as a civil violation.

#### **SECTION 10. PENALTIES.**

- A. Penalties. A violation of a provision of this Ordinance is punishable by a fine not to exceed \$500 per violation.
- B. Separate violations. Each day's violation of a provision of this Ordinance constitutes a separate offence.
- C. Abatement additional remedy. The abatement of a nuisance as herein provide shall not constitute a penalty for a violation of this Chapter, but shall be in addition to any penalty imposed for a violation of this Chapter.

**SECTION 11. SEVERABILITY.** The sections and subsections of this Ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

**SECTION 12. REPEAL.** Ordinance No 97 is hereby repealed.

**SECTION 13. EMERGENCY CLAUSE.** ~~This Ordinance 2017-001 and this Ordinance amending Ordinance 2017-001,~~ being necessary for the immediate preservation of the public peace, health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its adoption by the City Council of the City of Gaston.

Presented and Passed first reading on the 14 day of November, 2018.

Votes in favor 6

Votes against 0

  
Wenonah Blanchette, City Recorder

Approved this 14 day of November, 2018, by the Mayor.

  
Mayor Tony Hall