

1. Agenda

Documents:

[2019-08-07 Cc_Ws_Agenda .Pdf](#)

2. Meeting Materials

Documents:

[2019-08-07 Vacation Rental Issues.pdf](#)
[2019-08-07 Proclamation Helen Anderson.pdf](#)
[2019-08-07 Proclamation Dahl And Newport Signs.pdf](#)
[RES 2019-81 Increase Insurance Coverage Liability.pdf](#)
[RES 2019-82 Intent To Bid For Library.pdf](#)
[RES 2019-83 Raise Budget For City Hall Project.pdf](#)
[2019-08-07 Parks And Commons Commissioner - Keller.pdf](#)
[2019-08-07 Financial Services Update.pdf](#)
[2019-08-07 Request Additional Funds For Marketing.pdf](#)
[2019-08-07 Update To Section 4.04.Pdf](#)
[2019-08-07 Tax Update.pdf](#)



CITY OF YACHATS

CITY COUNCIL WORK SESSION & REGULAR COUNCIL MEETING

441 Hwy 101 N., Yachats Commons, Room 1, Yachats OR

Wednesday, August 7, 2019 at 9:30am

WORK SESSION AGENDA

- I. CALL MEETING TO ORDER
- II. WORK SESSION DISCUSSION TOPICS
 - A. Vacation Rentals – Discussion of Heir transfer, New license to Purchasers of existing VR's, Licenses with no activity, allow current exemption to 4 BR maximum, Conditional use in R-1 zones, Inspection fee structure and frequency
 - B. Oceanview Drive – Discussion of striping for direction and trail activity

REGULAR COUNCIL MEETING

- I. Announcements, Correspondence and Proclamations
- II. Public Comment: **Topics not listed on the agenda:** 5-minute limitation per person
- III. Consent Agenda
 - A. Resolutions Memorializing Council Action
- IV. New Business
 - A. Vote: Parks and Commons Commissioner
 - B. Vote: Decisions on Oceanview Drive striping and directionality
 - C. Financial Services Update – Guests: Sue Forty and Ellen Myhrvold
 - D. Review of Request for additional funds for Marketing
 - E. Ordinance: Update to Section 4.04 of the Yachats Municipal Code
 - F. Transient Lodging & Food and Beverage Tax Update
- V. Other Business
 - A. From Mayor
 - B. From Council
 - C. From Staff

The work session and regular council meeting are open to the public and interested citizens are invited to attend. These are open meetings under Oregon law, but a work session is not a community forum; audience participation is at the discretion of the Council. Meetings are audio-recorded. Public meeting minutes are available for review at City Hall. The meeting place is accessible to persons with disabilities. For accommodations, please call (541) 547-3565, or Oregon Relay 1-800-735-2900 TDD) two days in advance. City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status.

In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD) two days in advance.

Posted July 31, 2019

Yachats City Council Vision

Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself.

July 3, 2019

Vacation Rental issues we agreed on at this meeting:

- 1: Continue the current VR ordinance in it's basic form, subject to modifications we will continue to discuss
- 2: For outside technology, we agreed to use the software from Civic Plus for a while to see if that accomplishes what we want in terms of tracking
- 3: Compliance – seemed to agree that using the Sheriff's Office in conjunction with Newport and Waldport made sense. Shannon exploring a seasonal temp during the summer months as a short term solution.
- 4: Agreed to keep a 4 BR limit for all new applications

Still need to decide

- 1: Transferability of license to heirs
- 2: Allowing new license to be issued to purchases of existing VR's
- 3: VR's with no rental activity – OK or drop?
- 4: License fee structure
- 5: Inspection fee structure and frequency of inspections
- 6: Do we restrict new VR license in R-1 zones to require a Conditional Use Permit?
- 7: Do we exempt HomeShares (renting one room in an owner occupied home)?
- 8: Do we want a restriction prohibiting "events" at VRs which would allow more people than allowed as overnight guests?
- 9: When do we start a waiting list for new licenses? How often reviewed to see if request for license still valid?
- 10: Continue to allow the current exceptions to the 4 BR max rule?
- 11: Retain the cap of 125 or modify?

Vacation Rental Work Session – August 7, 2019

- 1: Transfer of license to heirs. Fees?
- 2: Allowing new license to be issued to purchasers of existing VR's. Fees?
- 3: Licenses with no activity – allow to continue or drop?
- 4: Continue to allow the current exceptions to the 4 BR maximum?
- 5: Do we require future new VR license in R-1 zones to require a conditional use permit?
- 6: Inspection fee structure and frequency

That leaves the following unresolved issues for the September work session:

- 1: Do we exempt home shares (renting one room in an owner occupied home)?
- 2: Do we want a restriction prohibiting “events” at VRs which would allow more people than allowed as overnight guests?
- 3: At what point do we start a waiting list for new licenses? How often reviewed to see if request for license is still valid?
- 4: Retain the 125 cap or modify?
- 5: License fee structure.
- 6: Allow property purchasers to apply for a VR license prior to close of escrow?

At that point, we will have agreed on all pertinent issues regarding VRs, and a new ordinance can be prepared for approval the following regular Council meeting.

CITY OF YACHATS

RESOLUTION NO. 2017-10-01

**A RESOLUTION AMENDING RESOLUTION 2014-01-01 BY SETTING
FEES FOR VACATION RENTAL LICENSE, INSPECTION AND RE-
INSPECTION FEES AND VIOLATION PENALTY**

WHEREAS, the City has invested time and money to establish a means by which to license, administer and monitor properties offered as vacation rentals; and

WHEREAS, in an effort to streamline the application and renewal processes by transitioning to an electronic system, contracting for code enforcement and developing a data base to improve the monitoring Code violations, license renewals and tax payments; and

WHEREAS, the fees charged have not been adjusted since 2014, under Resolution 2014-01-01;

NOW THEREFORE, the City of Yachats resolves to set the annual vacation rental license fee, inspection fee, re-inspection fee and violation penalty as follows:

Section 1. License Fees.

- A. All vacation rental fees shall be determined by resolution of the City Council.
- B. Annual licensure rates, due by December 29 of any given year shall be as follows:
 - 1. \$200 per year for two bedrooms or less
 - 2. \$250 per year for three bedrooms
 - 3. \$300 per year for four bedrooms
 - 4. \$400 per year for more than four bedrooms (grandfathered only)
- C. Inspection fees and re-inspection fees shall be as follows:
 - 1. \$100 for first inspection
 - 2. \$50 for any additional trip required to conclude inspection
 - 3. \$50 for subsequent years (every five years, according to Code)

Section 2. Penalties.

- A. Violation of any provision under Yachats Municipal Code 04.08 (Vacation Rentals):
 - 1. A penalty of \$1,000 per violation, per day may be imposed upon property owner (YMC 1.12.Civil Infractions).
 - 2. Failure to register and obtain a license, or to provide a tax return shall constitute such a violation. (YMC 3.08 Occupancy Tax).
 - 3. Any apparent vacation rental for which there is no documented exchange of value shall pay to the City a \$30 per day fee, in lieu of tax, if no license was obtained. This includes non-cash exchanges of value, including barter.
 - 4. Within any 12-month period: first violation of any type, property owner receives a written warning; second violation of any type, property owner is cited with a penalty of up to \$1,000 per incident, per day; third violation of

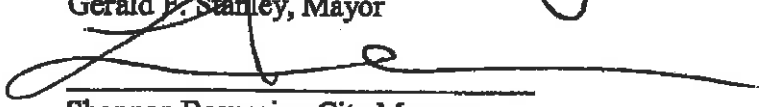
any type, property owner's vacation rental license is suspended for a full year. Renewal of the license after one year is subject to available licenses below the 125 imposed cap.

 **PASSED AND ADOPTED** this 11th day of October, 2017.

THIS RESOLUTION IS EFFECTIVE ON OCTOBER 15, 2017:



Gerald F. Stanley, Mayor



Shannon Beaucaire, City Manager



A PROCLAMATION
ON BEHALF OF THE PEOPLE OF THE CITY OF YACHATS
BY HIS HONOR, THE MAYOR
W. JOHN MOORE

Whereas, volunteering of an individual's time and resources is an essential part of the Yachats community spirit; and

Whereas, it is even more evidence that Yachats greatest natural resource is its people; and

Whereas, volunteers show every day through their actions that they truly care about their communities and the people who live in them; and

Whereas, we rely on the efforts of volunteers to enrich the Yachats community.

NOW, THEREFORE, we, the Mayor and City Council, honor and thank Helen Anderson for donating hundreds of hours of time, energy, knowledge and ability to launch the new Yachats website.

Dated this August 7, 2019

W. JOHN MOORE, Mayor



A PROCLAMATION

ON BEHALF OF THE PEOPLE OF THE CITY OF YACHATS

BY HIS HONOR, THE MAYOR

W. JOHN MOORE

Whereas, a community rich with dedicated community service partners who dedicate their time and service to making significant and positive changes; and

Whereas, community partnerships have been a significant part of the heritage of Yachats and is critical to preserving and improving the quality of life for the citizens of our communities; and

Whereas, Newport Signs completed an outstanding job on updating the City's entrance signs with the new Yachats logo; and

Whereas, Dahl Disposal generously volunteered their time and equipment to the placement of the new Yachats entrance signs.

NOW, THEREFORE, we, the Mayor and City Council, do publicly recognize Dahl Disposal and Newport Signs for their generous contributions to the Yachats Community sign.

Dated this August 7, 2019

W. JOHN MOORE, Mayor



**CITY OF YACHATS
RESOLUTION NO. 2019-81**

**A RESOLUTION OF THE CITY OF YACHATS, OREGON, INCREASING THE
INSURANCE COVERAGE FOR CRIME, CYBER LIABILITY, AND GENERAL
LIABILITY**

BE IT RESOLVED that the City Council of the City of Yachats, Oregon, elects to increase the following coverages as noted below and Attachment A:

1. Crime Insurance from \$50,000 to \$250,000
2. Cyber Liability from \$50,000 to \$250,000
3. General Liability from \$5Mil to \$10Mil

This Resolution memorializes action taken by the Council on July 17, 2019 and is effective as of that date.

CITY OF YACHATS

By: _____
W. John Moore, Chair

ATTESTED TO BY:

Shannon Beaucaire, City Manager

Attachment A



Brown & Brown
INSURANCE*

NORTHWEST

Brown & Brown Northwest
2701 NW Vaughn Street, Ste. 340
Portland, OR 97210

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bbnw.com

MEMO

July 11, 2019

To: Shannon Beaucaire
City of Yachats
City Manager
Sent Via E-mail
shannon@yachatsmail.org

From: Geoff Sinclair
Brown & Brown NW Insurance

RE: Insurance renewal recommendations following our meeting

Thank you very much for meeting with me at City Hall to discuss the 2019 insurance renewal. During that meeting, I brought some recommendations for increasing the insurance coverage currently purchased by the City. These are not requirements, but rather items that we believe are worthy of a discussion and consideration by the City at this time.

Below are three recommendations for the City to consider. I have placed them in the order which I would recommend you consider increasing coverage. For example, the first is what I would consider adding first if you were to make a choice not to implement all three recommendations.

1. Crime Insurance – Inc – Increase from \$50k to \$250k - Additional \$648

The City has a relatively small amount of people that interact with money on a daily/weekly basis. Crime insurance is a coverage that is in place to reimburse the City of expenses and losses associated with embezzlement, failure to perform your duties resulting in a financial loss (faithful performance) and Social Engineering.

Just last week, I was contacted by a small client who found that a manager had been making many personal purchases over the years and in total they will easily break 6 figures. This is unfortunate and more unfortunate is they only had \$50k of coverage. Not only do they stand to lose an additional \$50k+ but they also are in real jeopardy of losing the public's trust.

Another coverage that is a part of Crime insurance is for Social Engineering. This is when an outside person pretends to be someone else and tricks the City



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employee into paying them money. An example if when you as the business manager sends out an email to your finance officer asking them to please pay this contractor, it's overdue and they are going to charge us. They obviously want to help and send that check out sometimes glossing over your protocols because "the boss" said to get it done now! As it turns out, you didn't send that message and the money sent was actually sent to a bank that no longer has the money and the criminal is gone.

The Crime insurance limit that you currently have is low for a City in Oregon and I recommend that all small cities increase this coverage to at least \$250k. While I don't suspect any staff of wrongdoing at the City, I recommend that you increase this coverage as the most important consideration.

2. Cyber Liability Insurance – Increase from \$50k to \$250K – Additional \$1,150

Cybercrime and hacking is in the news nearly every day because of it's far reaching impact. Every corner of the globe including Yachats is not immune from its damaging effects.

The City may be small but your risk from cyber-attacks is still significant. Cyber insurance covers losses of Personally Identifiable Information (PII) in both paper and digital media, including W2's, Spearfishing, ransomware etc. It is a robust coverage and losses can get expensive very quickly. An example is if you have a laptop that is lost or stolen and it has some employees or citizens person information on it.

If this takes place, there are state required notification responses that must be done. Usually this is performed by hiring an attorney who then hires a forensic IT expert and an Forensic accountant. They determine what was lost, if something was lost that is PII and who/where they currently live. It matters where they live because what you need to do in order to "notify" them depends on where they reside and not where the data was lost.

The next step is mailing them all a letter stating what happened and to offer them a year of free credit monitoring or whatever the state they live in requires. Next, you would engage the services of a call center to take the responses and process the affected persons needs. You also notify the state and other authorities if it is large enough.

As you can probably imagine, the cost to do this can get very expensive, very quickly. It is for this reason that I recommend that City increase your Cyber insurance second next before considering the last recommendation.



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3. General Liability Insurance – Increase from \$5Mill to \$10Mill – Additional \$646

You currently have \$5 Million dollars of General Liability insurance through your current carrier. They have an option to purchase double the amount of insurance for an additional amount of \$646. The Oregon Tort Claims Act does limit the amount a person or company may claim in State court to just about \$1.5 Million dollars.

What the Tort Claims Act does NOT shield you from is Federal lawsuits. Employment claims, discrimination claims, retaliation claims all would be filed in federal court and there are no limitations including what they can win for attorney fees.

If you had police as a risk, I would place this recommendation at number 1 on this list. There are large cases in place right now that will bump up against the limits you currently have that are all jail/police cases.

I still believe the City should consider adding this coverage, but I have placed it third in this list given your risk profile and my experience in dealing with public entities of your size.

Again, I believe that all three of these recommendations are necessary to consider but I am very mindful of your budget and other expenses that may hold a higher priority for the City. Please reach out with any questions or if you would like to discuss any of the very general statements I have made within this memo.

The actual coverage wording, definitions and exclusions are the most important thing to consider whenever purchasing insurance so don't be afraid to ask.



**CITY OF YACHATS
RESOLUTION NO. 2019-82
A RESOLUTION OF THE CITY OF YACHATS, OREGON, TO ISSUE AN
INTENT TO BID FOR LIBRARY ADDITION AND REMODEL**

BE IT RESOLVED that the City Council of the City of Yachats, Oregon, elects to issue an Intent to Bid for the Yachats Library addition and remodel.

This Resolution memorializes action taken by the Council on July 17, 2019 and is effective as of that date.

CITY OF YACHATS

By: _____
W. John Moore, Chair

ATTESTED TO BY:

Shannon Beaucaire, City Manager



**CITY OF YACHATS
RESOLUTION NO. 2019-83
A RESOLUTION OF THE CITY OF YACHATS, OREGON, TO RAISE THE
BUDGET OF THE CITY HALL PROJECT**

WEHEREAS, the USDA has additional funding this year in its grant program.

BE IT RESOLVED that the City Council of the City of Yachats, Oregon, elects to increase the City Hall Budget to:

\$91,000 USDA Community Facility Grant

\$75,000 City Contribution

\$166,000 Total Project cost

This Resolution memorializes action taken by the Council on July 17, 2019 and is effective as of that date.

CITY OF YACHATS

By: _____
W. John Moore, Chair

ATTESTED TO BY:

Shannon Beaucaire, City Manager

City Council Action Item Cover Sheet

DATE: August 7, 2019

Agenda Item:

Parks & Commons Commissioner

Question Before Council:

Approval of new Parks and Commons Commissioner

Person/Group Initiating Request:

Parks and Commons Commission

Item Summary/Background:

Approval of Dawn Keller as a Parks and Commons Commissioner

City Council Action Item Cover Sheet

DATE: August 7, 2019

Agenda Item:

Financial Services Update

Question Before Council:

None

Person/Group Initiating Request:

City Manager

Item Summary/Background:

Sue Forty and Ellen Myhrvold will be present to meet Council and provide an update on Financial Services and the Springbrook transition.



DATE: July 19, 2019

TO: W. John Moore, Mayor
Yachats City Council

FROM: Shannon Beaucaire, City Manager

SUBJECT: Request for additional funds for Marketing

At the July 17, 2019 meeting, there was a request from Bev Wilson for an additional \$2,000 in the marketing budget. Ms. Wilson requested that \$3,000 unspent funds be “rolled over” into this fiscal year.

After explaining that each new municipal year the budget is crafted using proposed budgets from Commissions, Visitors Center, and more the Budget Officer develops a Budget and presents to the Budget Committee. The Council then approves the budget recommended from the Budget Committee.

Upon review of the request, the City Manager recommends that no change in the line item currently be done by Council because the Marketing line item can be utilized for marketing items. Although the proposed budget proposes amounts for each publication, as long as, the funds are spent within those marketing parameters there is flexibility in the actual amounts expended. Therefore, Ms. Wilson is free to spend more than the proposed amount on radio advertising.

A lot can happen throughout the year. The Marketing budget may be underspent, as it was last year. Other line items may not require the funds allocated in the budgetary process. A supplemental budget requires public notices and hearings. The City Manager proposes waiting until mid-year to determine if a supplemental budget needs to be done on this fund – and other funds – at that time rather than doing a supplemental budget just a month into the new budget year. We can evaluate the entire budget at that time and make more informed decisions. Again, this does not prevent Ms. Wilson from pursuing radio advertising at this time.

City Council Action Item Cover Sheet

DATE: August 7, 2019

Agenda Item:

Update to Section 4.04

Question Before Council:

Consider the update to Section 4.04

Person/Group Initiating Request:

Mayor Moore

Item Summary/Background:

This is the second hearing on this ordinance update.

This update exempts up to 4 garage sales per year from obtaining a business license. This update also removes terms that are defined but never used in the business license chapter. None of these terms are used in the Chapter 4.04 so there is no need for their definitions.

After discussion, the City Manager recommends that the following motion be considered: "I move, that Ordinance 359, amending Chapter 4.04, be approved."

Section 4.04.020 Definitions.

For the purpose of licensing businesses in the City, the following definitions apply:

~~“Amusement device” means any game, device or machine kept, operated or played in any place of business or other place where the public is invited or permitted to attend and which may be played by the insertion of coins.~~

~~“Arcade” means any business whose primary purpose is providing entertainment by the playing of amusement devices.~~

“Business” means any trade, occupation, calling, profession, pursuit or activity which is carried on for the purpose of profit.

~~“Exhibition” means the display of goods or materials for which an admission fee is charged.~~

~~“Flea market” means all general sales, open to the public, conducted in any commercial zone or public facilities zone within the City, for the purpose of disposing of personal property. These general sales include, but are not limited to, sales entitled “flea markets,” “bazaars” and “rummage sales.” This includes situations where booths, tables or spaces are sold or rented for the purpose of conducting sales of personal property. For this definition “personal property” means property which is owned by the individual conducting the sale, is purchased for resale, or is obtained on consignment.~~

“Garage sale” includes, but is not limited to, (also known as “porch sales,” “patio sales” or “yard sales,” and consists of) means any public sale of new or used goods by an individual or group from private property when the group or individual is not in the business of selling goods or is not licensed as a secondhand dealer, and when the property from which the sale is to be conducted is not within a zone permitting commercial business or otherwise permitted under the provisions of this chapter.

~~“Hotel” and “motel” includes any single structure or multiple combination of two (2) or more structures, operated as a single business venture where one or more units, rooms or apartments are hired out to the public for rent on less than a monthly rental basis, exclusive of any unit, room or apartment that is occupied by the owner, contract vendee or manager.~~

~~“Itinerant merchant/peddler” means a person or persons traveling from place to place selling and delivering from stock on hand.~~

“Nonprofit” means any business or organization which holds a certificate of exemption from taxes from the Internal Revenue Service.

“Person” means any ~~person~~ individual, firm, partnership, association ~~or~~, corporation or entity.

Section 4.04.030 Exemptions.

The following are exempt from the license requirements under this chapter:

A. Hobbies. Any pursuit or activity which is carried on in a casual manner, such as a hobby, where no display or advertising is conducted to promote the products or services of the pursuit or activity.

B. Income Based on Wages. No person whose income is based solely on a wage or salary shall, for the purpose of this chapter, be deemed a person transacting or carrying on any business in the City, and it is the intention that license fees will be borne by the employer.

C. Franchise. Any business paying a franchise tax or fee under City ordinances or resolutions now existing.

D. Wholesalers. Wholesalers making deliveries or taking orders from duly licensed retail outlets within the City.

E. Sixteen (16) Years or Younger. Any person sixteen (16) years or younger who operates a business on a part-time basis, which business has an annual gross income of less than five hundred dollars (\$500.00).

F. Nonprofit organizations as defined in this chapter.

G. Rentals. Any person having for rent three (3) or fewer residential or commercial units which rent for a period of thirty (30) days or longer.

H. Vacation Rentals. Any person having a vacation rental license.

I. Garage sales. Garage sales, provided that sales are conducted no more than four days in any calendar year on a property.



**CITY OF YACHATS
ORDINANCE 359
A ORDINANCE AMENDING THE YACHATS MUNICIPAL CODE
CHAPTER 4.04
RELATED BUSINESS LICENSES**

Whereas, the City maintains a business license program with the intent to provide revenue to pay for expenses incurred in issuing licenses, to pay for municipal services to businesses, and to provide for the health, safety and welfare of the citizens of Yachats; and

Whereas, the City Council wishes to formally exempt infrequent garage sales from having to obtain a business license because such activities do not impact the community in the same manner as more regular business activities within the City; and

Whereas, with these amendments to YMC Chapter 4.04, the City Council believes that its scarce code enforcement and business enforcement resources will be allocated more appropriately,

NOW THEREFORE, the City of Yachats ordains as follows:

Section 1. Yachats Municipal Code Section 4.04.020.

Yachats Municipal Code Section 4.04.020 shall be amended to read as follows:

Section 4.04.020 Definitions.

For the purpose of licensing businesses in the City, the following definitions apply:

“Business” means any trade, occupation, calling, profession, pursuit or activity which is carried on for the purpose of profit.

“Garage sale” (also known as “porch sales,” “patio sales” or “yard sales”) means any public sale of new or used goods by an individual or group from private property when the group or individual is not in the business of selling goods and when the property from which the sale is to be conducted is not within a zone permitting commercial business or otherwise permitted under the provisions of this chapter.

“Nonprofit” means any business or organization which holds a certificate of exemption from taxes from the Internal Revenue Service.

“Person” means any individual, firm, partnership, association, corporation or entity.

Section 2. Yachats Municipal Code Section 4.04.030.

Yachats Municipal Code Section 4.04.030 shall be amended to read as follows:

Section 4.04.030 Exemptions.

The following are exempt from the license requirements under this chapter:

A. Hobbies. Any pursuit or activity which is carried on in a casual manner, such as a hobby, where no display or advertising is conducted to promote the products or services of the pursuit or activity.

B. Income Based on Wages. No person whose income is based solely on a wage or salary shall, for the purpose of this chapter, be deemed a person transacting or carrying on any business in the City, and it is the intention that license fees will be borne by the employer.

C. Franchise. Any business paying a franchise tax or fee under City ordinances or resolutions now existing.



**CITY OF YACHATS
ORDINANCE 359
A ORDINANCE AMENDING THE YACHATS MUNICIPAL CODE
CHAPTER 4.04
RELATED BUSINESS LICENSES**

D. Wholesalers. Wholesalers making deliveries or taking orders from duly licensed retail outlets within the City.

E. Sixteen (16) Years or Younger. Any person sixteen (16) years or younger who operates a business on a part-time basis, which business has an annual gross income of less than five hundred dollars (\$500.00).

F. Nonprofit organizations as defined in this chapter.

G. Rentals. Any person having for rent three (3) or fewer residential or commercial units which rent for a period of thirty (30) days or longer.

H. Vacation Rentals. Any person having a vacation rental license.

I. Garage sales. Garage sales, provided that sales are conducted no more than four days in any calendar year on a property.

Section 3. Effective date.

Pursuant to the Yachats Charter, this ordinance shall take effect 30 days after adoption.

Passed and adopted by the City Council of the City of Yachats on this ____ day of _____, 2019.

	YES	NO	NOT PRESENT
John Moore, Mayor	☐	☐	☐
Max Glenn	☐	☐	☐
James Kerti	☐	☐	☐
Jim Tooke	☐	☐	☐
Leslie Vaaler	☐	☐	☐

W. John Moore, Mayor

Attest by:

Shannon Beaucaire, City Manager

2018-2019

2015-2019							Better (Worse) to Last Year \$			Better (Worse) to Last Year %			
		Hotels & Motels	Individual Vacation Rentals	Total Quarter	Quarterly Share	Food & Beverage Tax	Quarterly Share	Hotels & Motels	Individual Transient Rentals	Food & Beverage Tax	Hotels & Motels	Individual Transient Rentals	Food & Beverage Tax
First Quarter	2004/05	77,986	12,194	90,152	21.2%								
Second Quarter	2004/05	141,679	32,007	173,686	40.8%								
Third Quarter	2004/05	67,293	16,368	83,661	19.7%								
Fourth Quarter	2004/05	83,691	14,131	97,822	18.3%								
Total Fiscal Year	2004/05	360,851	74,670	425,521	100.0%								
Ratio		82.5%	17.5%	100.0%									
First Quarter	2005/06	82,479.98	12,194.73	94,674.71	22.1%								
Second Quarter	2005/06	145,998.29	34,908.86	180,906.94	42.1%								
Third Quarter	2005/06	70,306.16	11,083.97	81,392.13	19.0%								
Fourth Quarter	2005/06	85,062.91	7,254.82	92,317.74	16.8%								
Total Fiscal Year	2005/06	363,849.34	65,442.17	429,291.50	100.0%								
Ratio		84.8%	15.2%	100.0%									
First Quarter	2006/07	93,895.82	13,672.43	107,468.05	22.3%			11,415.84	1,377.71				
Second Quarter	2006/07	166,457.84	42,543.87	211,001.51	43.8%			22,456.35	7,635.22				
Third Quarter	2006/07	70,891.00	12,249.72	83,141.71	17.3%			583.83	1,165.75				
Fourth Quarter	2006/07	71,558.28	8,253.82	79,811.90	16.6%			6,495.37	998.80				
Total Fiscal Year	2006/07	404,803.53	76,619.84	481,423.17	100.0%			40,954.19	11,177.48				
Ratio		84.1%	15.9%	100.0%									
First Quarter	2007/08	110,265.42	18,835.82	129,101.24	24.3%	0.00	0.0%	16,369.80	5,263.39				
Second Quarter	2007/08	177,876.86	45,517.35	223,396.01	42.1%	92,700.29	51.8%	9,421.02	2,973.48				
Third Quarter	2007/08	82,628.58	15,246.15	98,074.73	18.5%	45,889.08	25.8%	11,836.58	2,966.43				
Fourth Quarter	2007/08	70,884.32	9,307.32	79,991.64	15.1%	40,373.20	22.6%	(873.96)	1,053.70				
Total Fiscal Year	2007/08	441,655.98	88,906.64	530,562.62	100.0%	178,962.57	100.0%	36,853.45	12,287.00				
Ratio		83.2%	16.8%	100.0%									
First Quarter	2008/09	100,811.46	17,657.89	118,469.35	23.0%	57,731.28	25.3%	(9,453.96)	(1,177.93)	57,731.28			
Second Quarter	2008/09	176,732.49	43,564.03	220,296.51	43.0%	90,086.49	36.0%	(1,146.18)	(1,953.32)	(9,610.80)			
Third Quarter	2008/09	71,686.53	13,309.95	84,996.48	16.0%	39,543.42	17.3%	(1,142.05)	(1,939.20)	(9,345.08)			
Fourth Quarter	2008/09	96,719.77	11,566.19	78,285.96	15.6%	41,939.32	18.4%	(3,984.55)	2,258.67	1,566.12			
Total Fiscal Year	2008/09	415,950.24	86,088.06	502,048.30	100.0%	228,303.51	100.0%	(25,706.74)	(2,508.56)	49,340.94			
Ratio		82.9%	17.1%	100.0%									
First Quarter	2009/10	93,679.93	18,522.61	112,202.54	22.9%	55,710.57	24.4%	(7,131.53)	864.72	(2,020.71)			
Second Quarter	2009/10	196,742.60	54,244.20	220,986.80	45.0%	96,688.12	42.3%	(9,899.88)	10,890.17	7,596.63			
Third Quarter	2009/10	95,973.08	17,571.37	83,544.45	17.0%	38,039.90	16.7%	(5,713.45)	4,261.42	(1,503.52)			
Fourth Quarter	2009/10	81,599.32	12,672.10	74,271.42	15.1%	37,979.18	16.6%	(5,120.45)	1,105.91	(3,960.14)			
Total Fiscal Year	2009/10	387,994.93	103,010.28	491,005.21	100.0%	228,416.77	100.0%	(27,655.31)	16,912.22	112.26			
Ratio		79.0%	21.0%	100.0%									
First Quarter	2013/14	85,411.24	25,145.37	110,556.61	21.8%	55,773.11	23.1%						
Second Quarter	2013/14	159,902.57	63,346.40	223,248.97	44.1%	98,046.13	39.8%						
Third Quarter	2013/14	68,233.81	22,348.98	91,582.79	18.1%	45,671.00	18.9%						
Fourth Quarter	2013/14	61,297.83	19,605.75	80,903.58	16.0%	43,658.84	18.1%						
Total Fiscal Year 13-14	2013/14	375,945.45	130,446.50	506,291.95	100.0%	241,149.17	100.0%						
Ratio		74.2%	25.8%	100.0%									
First Quarter	2014/15	85,273.00	28,005.00	113,338.00	19.9%	82,929.00	22.5%	(138.24)	2,919.63	7,155.89	-0.2%	11.6%	12.8%
Second Quarter	2014/15	170,480.00	74,632.00	245,082.00	43.1%	110,271.00	39.4%	10,557.43	11,285.60	14,224.87	8.6%	17.8%	14.8%
Third Quarter	2014/15	71,829.00	29,674.00	101,503.00	17.9%	50,546.00	18.1%	2,595.19	7,325.02	4,874.91	3.7%	32.8%	10.7%
Fourth Quarter	2014/15	82,655.00	25,431.00	108,386.00	16.1%	55,905.00	20.0%	21,657.17	5,825.25	12,246.16	35.3%	29.7%	28.0%
Total Fiscal Year 14-15	2014/15	410,517.00	157,802.00	568,319.00	100.0%	279,651.00	100.0%	34,671.55	27,355.50	36,501.83	9.2%	21.0%	16.0%
Share	Ratio	72.2%	27.8%	100.0%									
First Quarter	2015/16	115,553.00	32,427.00	147,980.00	21.1%	76,591.00		30,280.00	4,362.00	13,662.00	35.5%	15.5%	21.7%
Second Quarter	2015/16	211,373.00	87,747.00	299,120.00	42.7%	122,309.00		40,913.00	13,115.00	12,038.00	24.0%	17.6%	10.9%
Third Quarter	2015/16	85,725.00	31,444.00	117,169.00	16.7%	56,783.00		13,898.00	1,770.00	6,237.00	19.3%	6.0%	12.3%
Fourth Quarter	2015/16	103,908.00	32,636.00	136,542.00	19.5%	61,078.00		20,851.00	7,200.00	5,173.00	25.3%	28.3%	9.3%
Total Fiscal Year 15-16	2015/16	516,557.00	184,254.00	700,811.00	100.0%	316,761.00		106,040.00	26,452.00	37,110.00	25.8%	16.8%	13.3%
Share	Ratio	73.7%	26.3%	100.0%									
First Quarter	2016/17	159,100.45	54,764.78	213,865.23	23.1%	88,028.00		43,547.45	22,337.78	11,435.00	37.7%	68.8%	14.8%
Second Quarter	2016/17	297,530.00	114,041.00	411,571.00	44.4%	127,509.00		86,157.00	26,294.00	5,200.00	40.8%	30.0%	4.3%
Third Quarter	2016/17	125,060.00	42,639.00	167,699.00	18.1%	52,940.00		9,504.38	11,185.00	(3,943.00)	45.8%	35.6%	-6.8%
Fourth Quarter	2016/17	101,859.00	32,146.00	134,005.00	14.5%	54,571.00		(1,947.00)	(480.00)	(8,507.00)	-1.9%	-1.5%	-10.7%
Total Fiscal Year 16-17	2016/17	683,589.45	243,596.78	927,186.23	100.0%	323,048.00		167,032.45	59,338.78	6,285.00	32.3%	32.2%	2.0%
Share	Ratio	73.7%	26.3%	100.0%									
First Quarter	2017/18	164,513.96	66,835.24	231,349.20	22.2%	86,032.35		5,413.51	12,070.46	(1,993.65)	3.4%	22.0%	-2.3%
Second Quarter	2017/18	297,527.22	120,055.51	417,582.73	40.1%	156,741.36		(2.78)	6,014.51	29,232.36	0.0%	5.3%	22.9%
Third Quarter	2017/18	133,504.38	96,561.51	230,065.89	22.1%	66,887.70		8,504.38	53,022.51	15,947.70	6.8%	126.5%	30.1%
Fourth Quarter	2017/18	113,035.55	48,026.03	161,061.58	15.5%	66,000.25		11,076.55	15,880.03	11,420.25	10.9%	49.4%	20.9%
Total Fiscal Year 17-18	2017/18	708,581.11	331,478.29	1,040,059.40	100.0%	377,661.66		24,991.66	87,887.51	54,815.66	3.7%	36.1%	16.9%
Share	Ratio	68.1%	31.9%	100.0%									
First Quarter	2018/19	173,810.49	68,084.49	241,894.98	22.8%	98,488.06		9,290.53	1,249.25	12,455.71	5.7%	1.9%	14.5%
Second Quarter	2018/19	300,976.81	159,536.10	460,515.91	43.4%	159,896.89		3,452.59	39,480.59	2,955.52	1.2%	32.9%	1.9%
Third Quarter	2018/19	132,784.30	59,465.04	192,250.24	18.1%	87,014.21		(720.08)	(37,095.57)	18,726.51	-0.5%	-38.4%	27.2%
Fourth Quarter	2018/19	115,021.52	50,230.63	165,252.15	15.6%	70,497.46		1,985.97	2,204.80	4,497.21	1.8%	4.6%	6.8%
Total Fiscal Year 18-19	2018/19	722,596.12	337,317.16	1,059,913.28	100.0%	416,286.61		14,015.01	5,838.87	39,634.95	2.0%	1.8%	10.2%
Share	Ratio	68.2%	31.8%	100.0%									

City of Yachats
Transient Rental Income
Rate Impact
New Rates January 1, 2016

Stay Months	Collection Month	Hotels Motels	Individual Rental Homes	Total	Prior Year Tax	7% to 9% Rate Change	Actual Increase (Decrease)
April - June 2015	July, 2015	115,553.00	32,427.00	147,980.00			
July - September 2015	October, 2015	211,373.00	87,747.00	299,120.00			
October - December 2015	January, 2016	85,725.00	31,444.00	117,169.00			
January - March 2016	April, 2016	103,906.00	32,636.00	136,542.00	108,386	139,353	(2,811)
	Total Fiscal Year 15-16	516,557.00	184,254.00	700,811.00			
Stay Months	Collection Month						
April - June 2016	July, 2016	159,100.45	54,764.78	213,865.23	147,980	190,260	23,605
July - September 2016	October, 2016	297,530.00	114,041.00	411,571.00	299,120	384,583	26,988
October - December 2016	January, 2017	125,000.00	42,639.00	167,639.00	117,169	150,646	16,993
January - March 2017	April, 7	101,959.00	32,146.00	134,105.00	136,542	136,542	(2,437)
	Total Fiscal Year 16-17	683,589.45	243,590.78	927,180.23	700,811	862,031	65,150

7.56%

Budget 2017-2018

April - June 2017	July, 2017	164,513.96	58,804.31	8,030.93	231,349.20
July - September 2017	October, 2017	297,527.22	105,949.58	14,105.93	417,582.73
October - December 2017	January, 2018	133,504.38	91,780.20	4,781.31	230,065.89
January - March 2018	April, 2018	113,035.55	44,042.06	3,983.97	161,061.58
	Total Fiscal Year 17-18	708,581.11	300,576.15	30,902.14	1,040,059.40

Visitor Amenities Share

30% of 7%	2.10%
70% of 2%	1.40%
Total	3.50%
Total	9.00%
VA Share	38.89%
Rounded	39%
Dollars	405,623

Budget 2018-2019

April - June 2018	July, 2018	173,810.49	61,033.99	7,050.50	241,894.98
July - September 2018	October, 2018	300,979.81	142,529.97	17,006.13	460,515.91
October - December 2018	January, 2019	132,784.30	51,498.23	7,967.71	192,250.24
January - March 2019	April, 2019	115,021.52	44,032.68	6,197.95	165,252.15
	Total Fiscal Year 18-19	722,596.12	299,094.87	38,222.29	1,059,913.28

Visitor Amenities Share

30% of 7%	2.10%
70% of 2%	1.40%
Total	3.50%
Total	9.00%
VA Share	38.89%
Rounded	39%
Dollars	413,366

Food & Beverage Tax			
First Quarter	2013/14	55,773.11	23.1%
Second Quarter	2013/14	96,046.13	39.8%
Third Quarter	2013/14	45,671.09	18.9%
Fourth Quarter	2013/14	43,658.84	18.1%
Total Fiscal Year 13-14	2013/14	<u>241,149.17</u>	<u>100.0%</u>
First Quarter	2014/15	62,929.28	22.5%
Second Quarter	2014/15	110,271.02	39.4%
Third Quarter	2014/15	50,546.47	18.1%
Fourth Quarter	2014/15	55,905.00	20.0%
Total Fiscal Year 14-15	2014/15	<u>279,651.77</u>	<u>100.0%</u>
First Quarter	2015/16	76,591.00	24.2%
Second Quarter	2015/16	122,309.00	38.6%
Third Quarter	2015/16	56,783.00	17.9%
Fourth Quarter	2015/16	61,078.00	19.3%
Total Fiscal Year 15-16	2015/16	<u>316,761.00</u>	<u>100.0%</u>
First Quarter	2016/17	88,026.00	27.2%
Second Quarter	2016/17	127,509.00	39.5%
Third Quarter	2016/17	52,940.00	16.4%
Fourth Quarter	2016/17	54,571.00	16.9%
Total Fiscal Year 16-17	2016/17	<u>323,046.00</u>	<u>100.0%</u>
First Quarter	2017/18	86,032.35	22.8%
Second Quarter	2017/18	156,741.36	41.5%
Third Quarter	2017/18	68,887.70	18.2%
Fourth Quarter	2017/18	66,000.25	17.5%
Total Fiscal Year 17-18	2017/18	<u>377,661.66</u>	<u>100.0%</u>
First Quarter	2018/19	98,488.06	23.7%
Second Quarter	2018/19	159,696.88	38.4%
Third Quarter	2018/19	87,614.21	21.0%
Fourth Quarter	2018/19	70,497.46	16.9%
Total Fiscal Year 18-19	2018/19	<u>416,296.61</u>	<u>100.0%</u>

2017 - 2018 Budget

Not sure what this represents	
First Quarter	85,000.00
Second Quarter	128,000.00
Third Quarter	52,000.00
Fourth Quarter	55,000.00
Total Fiscal Year 17 - 18	<u>320,000.00</u>