

# Dunes City Council ~ Regular Session



November 20, 2024 ~ 6:00 pm

The meeting will adjourn not later than 9:00 pm. If agenda items are not completed, they will be addressed at the next scheduled meeting.

## AGENDA

- 1. **Call to Order**..... Mayor Ed McGuire
- 2. **Roll Call** ..... City Administrator
- 3. **Pledge of Allegiance to the Flag**..... Mayor Ed McGuire
- 4. **Consideration of the Agenda**..... **Action Item**
- 5. **Consideration of the Consent Agenda**..... **Action Item**

All items listed here are considered to be routine by the Dunes City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered.

- A. Minutes of the October 16, 2024 City Council Regular Session
- B. Minutes of the November 6, 2024 City Council Work Session
- C. Bills of the Session from October 10, 2024 to November 10, 2024
- D. Receipts of the Session from October 10, 2024 to November 10, 2024
- E. Profit and Loss by Class from October 10, 2024 to November 10, 2024

### 6. **Announcements / Correspondence**

### 7. **Citizen Input on Items Not Discussed in Agenda**

The public comment period is an essential part of local government meetings. Each person has **three** minutes to speak. Our governing body takes the input into consideration. However, in observance of Oregon open meeting laws, this isn't the time for dialogue, but rather a time for us to **listen** to you. Our City Administrator is taking notes of action, as needed.

### 8. **Reports**

- A. Mayor Report ..... Mayor Ed McGuire
- B. Permit Report..... Pam Palmer

### 9. **Public Hearing**

- A. City v. Jack Thomas Claycomb..... **Discussion/Action Item**

Appeal request of Notice of Entry of Findings of Fact, Conclusions of Law and Order for Corrective Action as to Jack Thomas Claycomb, Owner and Responsible Party Only.

- 1. Review of Complaint, Findings of Fact and Conclusions of Law and Final Order by Code Enforcement Officer Timmons
- 2. Response to Complaint, Findings of Fact and Conclusions of Law and Final Order by Mr. Claycomb

3. Testimony in favor of the Code Enforcement Officer and questions by Councilors.
4. Testimony in favor of Mr. Claycomb and questions by Councilors.
5. Rebuttal by Code Enforcement Officer (if any)
6. Rebuttal by Mr. Claycomb (only if rebuttal by Code Enforcement Officer)
7. Deliberation by Councilors and entry of Decision.

B. Water Ordinance..... Discussion/**Action Item**

**10. Old Business**

A. Deliberation and Discussion: Water Ordinance..... Discussion/**Action Item**

**11. New Business**

A. Short-Term Rental Resolution..... Discussion/**Action Item**

**12. Executive Session – None**

**13. For the Good of the Order**

**14. Adjournment**



that the dam is operational and had been opened and is now closed but things are as they should be.

Permit Report – Mayor Ed McGuire stated that the Short-Term Rental permits are currently 29.

The Permit Report is in the Councilor’s Packet.

## **Public Hearing**

### **FEMA Ordinance**

Mayor Ed McGuire read a letter from The Coastal Mayor’s Caucus.

MOTION MADE BY: Councilor Melissa Stinson

MOTION: To table Ordinance 270 for further review at another meeting.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

### **Water Ordinance**

Mayor Ed McGuire stated that this Ordinance clarifies the definition of Woahink Lake.

Mayor Ed McGuire read from the script.

MOTION MADE BY: Councilor Chris Clemons

MOTION: To read the Ordinance by title only.

SECONDED: Council President Susan Snow

IN FAVOR: Unanimous

Motion Passed

Public Hearing Opened at 6:42 pm.

Geneva Jackson questioned the definition of Woahink Lake.

Mayor Ed McGuire stated staff would clarify with the Water Master.

Rapunzel Oberholtzer stated that she was unaware that Siltcoos Lake would be part of the definition.

Melissa Stinson asked about the owners of Points of Diversion.

Councilor Joe Giammona asked if the definition is in writing.

Staff does have the definition in writing from the Water Master.

MOTION MADE BY: Councilor Melissa Stinson

MOTION: To continue this discussion after clarification from the Water Master.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

Motion Passed

## **New Business**

Deliberation and Discussion: FEMA Ordinance  
Tabled for later discussion

Deliberation and Discussion: Water Ordinance  
Continued for clarification.

**Old Business**

Soil Erosion and Control Plan  
Mayor Ed McGuire stated that Clean Rivers will have a proposal soon to discuss.

**Executive Session**

There was none.

**For the Good of the Order**

Councilor Melissa Stinson asked about the check received by the City as a result of a fine. Mayor Ed McGuire stated that there is an appeal scheduled for the November 20, 2024 meeting.

**Adjournment**

MOTION MADE BY: Councilor Tom Mallen  
MOTION: To adjourn.  
SECONDED: Councilor Chris Clemons  
IN FAVOR: Unanimous  
OPPOSED: None  
Motion Passed

**APPROVED BY THE DUNES CITY COUNCIL ON THE 20<sup>TH</sup> DAY OF NOVEMBER, 2024.**

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**Ed McGuire, Mayor**

**ATTEST:**

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**Lila Timmons, City Administrator**



**DUNES CITY, OREGON  
CITY COUNCIL  
MEETING MINUTES**

REGULAR MEETING  
November 6, 2024  
CITY HALL

- Call to Order** The meeting was called to order at 6:00 pm by Mayor McGuire.
- Pledge of Allegiance to the Flag** Mayor McGuire led the meeting in the Pledge of Allegiance.
- Roll Call** City Administrator Lila Timmons stated that all Councilors were present except Tom Mallen. Tom Mallen did arrive at 6:02 pm. Also present were other various citizens.
- Agenda** No agenda additions, deletions, or modifications.  
MOTION MADE BY: Councilor Rich Olson  
MOTION: To approve the November 6, 2024 Regular Session Agenda.  
SECONDED: Council President Susan Snow  
IN FAVOR: Unanimous  
OPPOSED: None  
Motion Passed
- Announcements/Correspondence** City Administrator Lila Timmons congratulated Mayor Ed McGuire and Councilor Chris Clemons for being elected for the new term.  
Mayor Ed McGuire spoke about a Mayor's roundtable that he attended.
- Citizen Input** Jeanne Jackson asked about the plans for a new Dunes City sign.
- Old Business** Survey Results Discussion (Council and Public)  
Councilor Chris Clemons stated that there was a lot of interest in allowing ADU's.  
Mayor Ed McGuire talked about the results from monitoring traffic and speeding on Clear Lake Rd.  
Mayor Ed McGuire talked about the volunteers from the survey. The Council is looking for volunteers to help organize some events for residents. Maybe some events for the younger generation.

Mayor Ed McGuire stated that the Council is looking for volunteers for the Planning Commission and the Budget Committee.

Councilor Rich Olson stated that Chapter 155 had a provision in it that did not allow property owners to build on a property until after a home was built. He felt that provision needed to be changed.

Rapunzel Oberholtzer asked the City Council if they were recommending that the Planning Commission look into allowing ADU's as part of Chapter 155 of the Dunes City Code. It was decided that the Planning Commission would look into ADU's as part of Chapter 155.

#### Clean Rivers Proposal for abatement

Councilor Melissa Stinson asked the City Administrator if we could ask the City Attorney of the likelihood of getting a court order to enter the property for the abatement. City Administrator, Lila Timmons, stated she would ask the attorney. The remaining discussion was delayed until Attorney's answer.

### **New Business**

#### Number of Allowed Short-Term Rentals (STR)

After much discussion, the Council decided that there will be 35 Short-Term Rentals permitted in Dunes City.

The Council discussed whether to allow a waitlist once the 35 Short-Term Rentals were permitted.

MOTION MADE BY: Councilor Rich Olson

MOTION: To limit the number of Short-Term Rentals to 35 and if there is to be a waitlist, an application must be filled out with a non-refundable application fee that would expire at the end of the fiscal year and an acknowledgment signed to that effect.

SECONDED: Councilor Joe Giammona

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

#### Fees for STR Non-Compliance

Mayor Ed McGuire suggested that the fines should be assessed for each occurrence or rental period.

Mayor Ed McGuire stated Code Enforcement Officer should have a log of events along with photographs to show each rental occurrence.

MOTION MADE BY: Councilor Chris Clemons

MOTION: Fees for renting a home as a Short-Term Rental without a Dunes City permit will be \$1500 for the first verifiable rental period, \$2250 for the second verifiable rental period and \$3375 for each verifiable rental period thereafter with the loss

of being permitted as a Short-Term Rental after the 3<sup>rd</sup> occurrence.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

**Work Session**

Chapter 91

Mayor Ed McGuire suggested that the Council talk about adding lighting to this Chapter.

Delayed until the next month.

**Executive Session**

There was none.

**For the Good of the Order**

Councilor Rich Olson stated that the dam was operational.

Mayor Ed McGuire stated that Boomer Wright asked him to be a part of an infrastructure bill.

**Adjournment**

MOTION MADE BY: Councilor President Susan Snow

MOTION: To adjourn.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

**APPROVED BY THE DUNES CITY COUNCIL ON THE 20<sup>TH</sup> DAY OF NOVEMBER, 2024.**

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**Ed McGuire, Mayor**

**ATTEST:**

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**Lila Timmons, City Administrator**



## Dunes City

### Expense by Vendor for Bills of the Session (Mat'ls. & Serv.)

October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Amount
<b>American Legal Publishing</b>						
Bill	11/04/2024	37506	American Legal...	Codificati...	41 G...	1,978.00
Total American Legal Publishing						1,978.00
<b>Central Lincoln PUD</b>						
Bill	10/30/2024	22061...	Central Lincoln ...	October ...	43 St...	2,174.85
Bill	10/30/2024	22061...	Central Lincoln ...	Office	41 G...	127.26
Bill	10/30/2024	22061...	Central Lincoln ...		41 G...	36.63
Total Central Lincoln PUD						2,338.74
<b>Country Media, Inc.</b>						
Bill	11/04/2024	10/31/...	Country Media, ...	Public H...	41 G...	229.97
Total Country Media, Inc.						229.97
<b>County Transfer &amp; Recycling</b>						
Bill	10/28/2024	10217...	County Transfe...		41 G...	32.55
Bill	11/05/2024	2941-...	County Transfe...	10/01/20...	41 G...	65.10
Total County Transfer & Recycling						97.65
<b>CwM-H2O</b>						
Bill	10/28/2024	2642	CwM-H2O	Met with ...	46 W...	535.00
Total CwM-H2O						535.00
<b>DCBS - Fiscal Services</b>						
Bill	10/10/2024	78920...	DCBS - Fiscal ...	July, Aug...	42 B...	1,512.00
Total DCBS - Fiscal Services						1,512.00
<b>First American Title</b>						
Bill	10/28/2024	nwest...	First American ...	2539-719...	41 G...	97.00
Total First American Title						97.00
<b>Holloway &amp; Associates LLC CPA's</b>						
Bill	10/28/2024	9449	Holloway & Ass...	Septemb...	41 G...	145.00
Total Holloway & Associates LLC CPA's						145.00
<b>Lane County Tax Collector</b>						
Bill	10/28/2024	18183...	Lane County T...		41 G...	18.19
Total Lane County Tax Collector						18.19
<b>Local Government Law Group</b>						
Bill	10/28/2024		Local Governm...	Answere...	41 G...	4,000.00
Total Local Government Law Group						4,000.00
<b>Northwest Code Professionals</b>						
Bill	10/28/2024	5250	Northwest Cod...	Permit se...	42 B...	1,031.10
Bill	11/06/2024	5287	Northwest Cod...	Permit S...	42 B...	3,304.80
Total Northwest Code Professionals						4,335.90
<b>Oregon Department of Forestry</b>						
Bill	11/04/2024	25216	Oregon Depart...	Fire Prot...	41 G...	276.12
Total Oregon Department of Forestry						276.12
<b>Oregon Water Services, Inc.</b>						
Bill	10/28/2024	133505	Oregon Water ...	water rep...	46 W...	265.00
Bill	11/05/2024	29589...	Oregon Water ...	Water se...	46 W...	265.00
Total Oregon Water Services, Inc.						530.00

Dunes City

Expense by Vendor for Bills of the Session (Mat'ls. & Serv.)

October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Amount
<b>Pacific Office Automation</b>						
Bill	10/28/2024	50317...	Pacific Office ...	Lease co...	41 G...	593.00
Total Pacific Office Automation						593.00
<b>Pacific Office Automation - Eugene</b>						
Bill	11/04/2024	818304	Pacific Office ...	Copies	46 W...	61.15
Total Pacific Office Automation - Eugene						61.15
<b>Schroeder Law Offices</b>						
Bill	10/28/2024	1552-...	Schroeder Law ...	meeting ...	46 W...	165.00
Total Schroeder Law Offices						165.00
<b>Tidy UP Florence</b>						
Bill	10/28/2024	548823	Tidy UP Florence	10/12-10/...	41 G...	220.00
Total Tidy UP Florence						220.00
<b>Tumbleweed Yard Care, Inc.</b>						
Bill	10/28/2024	2492-30	Tumbleweed Y...	Sept Law...	41 G...	195.00
Total Tumbleweed Yard Care, Inc.						195.00
<b>Vend West Services Inc.</b>						
Bill	10/28/2024	citdu	Vend West Ser...		41 G...	25.00
Bill	11/05/2024		Vend West Ser...			0.00
Bill	11/06/2024	00602...	Vend West Ser...		41 G...	15.00
Total Vend West Services Inc.						40.00
<b>Worldpay Payment Resolution</b>						
Bill	10/28/2024	2368	Worldpay Pay...	Umpqua ...	41 G...	49.90
Total Worldpay Payment Resolution						49.90
<b>TOTAL</b>						<b>17,417.62</b>

## Dunes City

# Income by Fund for Receipts of the Session

### October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
<b>Ordinary Income/Expense</b>						
<b>Income</b>						
<b>40000 · Fund Revenue</b>						
<b>41000 · General Fund Revenue</b>						
<b>41107 · Business License Fees</b>						
Sales R...	10/16/2024	DCBL0...	Coast Pavemen...	Business Lic...	41 Gener...	85.00
Sales R...	10/21/2024	24-STR...	Mobley, Jack	Business Lic...	42 Buildi...	85.00
Sales R...	10/21/2024	24-STR...	JSE Maintenance	New Busines...	42 Buildi...	85.00
Sales R...	10/21/2024	24-STR...	Westlake Resort	Business Lic...	42 Buildi...	85.00
Sales R...	10/21/2024	DCBL0...	Lighthouse Elec...	Business Lic...	41 Gener...	85.00
Sales R...	10/21/2024	DCBL 0...	Sea Starr Heati...	Business Lic...	41 Gener...	41.00
Sales R...	10/29/2024	DCBL0...	Equinox Landsc...	Business Lic...	41 Gener...	85.00
Sales R...	10/30/2024	DCBL0...	D J Miller Const...	Business Lic...	41 Gener...	85.00
Sales R...	11/04/2024	DCBL0...	Integrity Plumbi...	Business Lic...	41 Gener...	85.00
Total 41107 · Business License Fees						721.00
<b>41115 · Cigarette Tax</b>						
Sales R...	10/21/2024	24-STR...	State Of Oregon		41 Gener...	66.37
Total 41115 · Cigarette Tax						66.37
<b>41125 · Fines</b>						
Invoice	10/22/2024	2024-25...	Sunny Landsc...	Claycomb re...	41 Gener...	200.00
Total 41125 · Fines						200.00
<b>41145 · Lien Search Fees</b>						
Sales R...	10/16/2024	719342...	First American ...	83569 Clear ...	41 Gener...	25.00
Invoice	10/21/2024	5621	Cascade Escro...	19-12-14-40-...	41 Gener...	25.00
Sales R...	10/21/2024	24-STR...	Evergreen Land...	83699 Clear...	41 Gener...	25.00
Sales R...	10/21/2024	24-STR...	First American ...	19-12-34-24-...	41 Gener...	0.00
Sales R...	10/21/2024	24-STR...	Fidelity National...	19-12-26-22-...	41 Gener...	25.00
Sales R...	10/21/2024	24-STR...	First American ...	19-12-34-24-...	41 Gener...	25.00
Sales R...	10/27/2024	4212374	First American ...	19-12-23-10-...	41 Gener...	25.00
Sales R...	10/31/2024	24-28604	Evergreen Land...	4847 Darling...	41 Gener...	25.00
Invoice	11/04/2024	3300/15...	Cascade Escro...	83233 Helkat...	41 Gener...	50.00
Sales R...	11/04/2024	602224...	Fidelity National...	5323 Leavitt ...	41 Gener...	25.00
Sales R...	11/04/2024	4215593	First American ...	5223 Boy Sc...	41 Gener...	25.00
Total 41145 · Lien Search Fees						275.00
<b>41150 · Liquor tax</b>						
Sales R...	10/21/2024	24-STR...	State Of Oregon		41 Gener...	1,998.87
Total 41150 · Liquor tax						1,998.87
<b>41155 · Miscellaneous</b>						
Sales R...	10/21/2024	Dividend	SAIF (Dividend)	SAIF Dividen...	41 Gener...	41.00
Total 41155 · Miscellaneous						41.00
<b>41175 · PUD Franchise</b>						
Sales R...	10/21/2024	24-STR...	Central Lincoln		41 Gener...	5,241.10
Total 41175 · PUD Franchise						5,241.10
<b>41180 · Septic Admin Fees</b>						
Sales R...	10/10/2024	LUC-2	Watts, John	Lucs; Little W...	42 Buildi...	70.00
Sales R...	10/22/2024	Septic	Brown Trout Pu...	83672 Kiechl...	41 Gener...	50.00
Sales R...	10/22/2024	Septic	Brown Trout Pu...	5695 Alder L...	41 Gener...	50.00
Sales R...	11/04/2024	Septic	Brown Trout Pu...	5559 Chittum...	41 Gener...	100.00
Sales R...	11/07/2024	83555	Chuck's Plumbi...	83555 Woodl...	41 Gener...	150.00
Total 41180 · Septic Admin Fees						420.00

## Dunes City

### Income by Fund for Receipts of the Session

October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
<b>41000 · General Fund Revenue - Other</b>						
Sales R...	10/10/2024	24-STR...	Main, Trevor	Short Term R...	49 Short ...	500.00
Sales R...	10/16/2024	24-STR...	Gregory and Ja...	STR applicait...	49 Short ...	500.00
Sales R...	10/21/2024	24-STR...	Knipe, Gary	5688 Shady Ln	42 Buildi...	500.00
Sales R...	10/21/2024	24-STR...	Oflock, Regina "...	83419 Hwy 101	49 Short ...	500.00
Sales R...	10/21/2024	24-STR...	Pacific Rental C...	5346 Buckski...	49 Short ...	500.00
Sales R...	10/21/2024	2024-STR	General Autom...	Permit Applic...	49 Short ...	500.00
Sales R...	10/28/2024	24-STR...	Altemus, Matt	82823 Lake ...	49 Short ...	1,000.00
Sales R...	10/28/2024	24-STR-2	Silke, James	5404 Buckski...	49 Short ...	1,000.00
Total 41000 · General Fund Revenue - Other						5,000.00
Total 41000 · General Fund Revenue						13,963.34
<b>42000 · Building Codes Fund Revenue</b>						
<b>42104 · Building Surcharge</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	134.00
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	25.00
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	25.00
Sales R...	10/17/2024	2024-P...	Chuck's Plumbi...	2024-PW-26-...	42 Buildi...	25.00
Sales R...	10/28/2024	2024-78...	Peters, Curt	5588 Lakevie...	42 Buildi...	25.00
Sales R...	10/29/2024	2024-79...	Dan Rankin Co...	82770 Maple ...	42 Buildi...	25.00
Sales R...	11/04/2024	2024-80...	Benjamin M Hill...	6005 Little W...	42 Buildi...	19.88
Sales R...	11/06/2024	2024-82...	Lighthouse Elec...	83338 South ...	42 Buildi...	25.00
Total 42104 · Building Surcharge						303.88
<b>42115 · Electrical fees</b>						
Sales R...	10/28/2024	2024-78...	Peters, Curt	5588 Lakevie...	42 Buildi...	240.00
Sales R...	11/06/2024	2024-82...	Lighthouse Elec...	83338 South ...	42 Buildi...	225.00
Total 42115 · Electrical fees						465.00
<b>42140 · Mechanical Fees</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	90.00
Invoice	10/21/2024	5623	Impact Constru...	Mike Fedoruk...	42 Buildi...	125.80
Sales R...	10/21/2024	2024-76...	Sea Starr Heati...	4938 Lakesh...	42 Buildi...	90.00
Sales R...	10/29/2024	2024-79...	Dan Rankin Co...	82770 Maple ...	42 Buildi...	90.00
Total 42140 · Mechanical Fees						395.80
<b>42145 · Plan Check/Review Fees</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	1,246.05
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	45.50
Sales R...	10/17/2024	2024-P...	Chuck's Plumbi...	2024-PW-26-...	42 Buildi...	100.00
Sales R...	10/21/2024	2024-76...	Sea Starr Heati...	4938 Lakesh...	42 Buildi...	25.00
Sales R...	11/04/2024	2024-80...	Benjamin M Hill...	6005 Little W...	42 Buildi...	183.95
Sales R...	11/04/2024	83200	Ed Koepic	83200 Maple ...	42 Buildi...	90.35
Total 42145 · Plan Check/Review Fees						1,690.85
<b>42150 · Planning Fee &amp; LUCS</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	100.00
Sales R...	11/04/2024	2024-80...	Benjamin M Hill...	6005 Little W...	42 Buildi...	100.00
Total 42150 · Planning Fee & LUCS						200.00
<b>42155 · Plumbing fees</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	182.00
Total 42155 · Plumbing fees						182.00

## Dunes City

### Income by Fund for Receipts of the Session

October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
<b>42165 · State Surcharge Fees</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	230.04
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	10.80
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	21.84
Sales R...	10/21/2024	2024-76...	Sea Starr Heati...	4938 Lakesh...	42 Buildi...	10.80
Sales R...	10/28/2024	2024-78...	Peters, Curt	5588 Lakevie...	42 Buildi...	28.80
Sales R...	10/29/2024	2024-79...	Dan Rankin Co...	82770 Maple ...	42 Buildi...	10.80
Sales R...	11/04/2024	2024-80...	Benjamin M Hill...	6005 Little W...	42 Buildi...	33.96
Sales R...	11/06/2024	2024-82...	Lighthouse Elec...	83338 South ...	42 Buildi...	27.00
Total 42165 · State Surcharge Fees						374.04
<b>42175 · Structural Fees &amp; Demolition</b>						
Sales R...	10/16/2024	2024-77...	Miller Handiman...	2024-77-SM...	42 Buildi...	1,917.00
Sales R...	10/17/2024	2024-P...	Chuck's Plumbi...	2024-PW-26-...	42 Buildi...	250.00
Sales R...	11/04/2024	2024-80...	Benjamin M Hill...	6005 Little W...	42 Buildi...	283.00
Sales R...	11/04/2024	83200	Ed Koepic	83200 Maple ...	42 Buildi...	100.00
Total 42175 · Structural Fees & Demolition						2,550.00
Total 42000 · Building Codes Fund Revenue						6,161.57
<b>43000 · State Street Fund Revenue</b>						
<b>43115 · State Hwy Apportionment</b>						
Sales R...	10/28/2024	10/15/24	ODOT Apportio...	September	43 Street...	10,666.01
Total 43115 · State Hwy Apportionment						10,666.01
Total 43000 · State Street Fund Revenue						10,666.01
<b>46000 · Water Right Fund Revenue</b>						
<b>46104 · Fish Screens</b>						
Invoice	10/28/2024	335536	Robbers, Brian A.	Fish Screen ...	46 Water...	96.10
Invoice	10/28/2024	335536	Robbers, Brian A.	Diver fish scr...	46 Water...	51.95
Total 46104 · Fish Screens						148.05
<b>46105 · Administrative Fees</b>						
Invoice	10/10/2024	2024-25...	Avery, Brian	2023-2024 ...	46 Water...	100.00
Invoice	10/10/2024	2024-25...	Avery, Brian	2024-2025 W...	46 Water...	100.00
Invoice	10/10/2024	5745	Figueredo, Virgi...	2023-2024 W...	46 Water...	100.00
Invoice	10/10/2024	5745	Figueredo, Virgi...	2024-2025 W...	46 Water...	100.00
Invoice	10/21/2024	23-0318	Puttman Infrastr...	Additional Ho...	46 Water...	96.30
Invoice	10/21/2024	2024-25...	Brady, Greg & ...	2024-2025 W...	46 Water...	100.00
Invoice	10/21/2024	5733	Zuk, Rosemary B	2023-2024 ...	46 Water...	100.00
Invoice	10/21/2024	5733	Zuk, Rosemary B	2024-2025 ...	46 Water...	100.00
Invoice	10/21/2024	23-0318	Puttman Infrastr...	2024-2025 w...	46 Water...	3.70
Invoice	10/21/2024	06315	Lopez, Catherin...	11/30/2022 in...	46 Water...	9.61
Invoice	10/21/2024	06315	Lopez, Catherin...	Installation a...	46 Water...	10.39
Invoice	10/21/2024	5603	Murdock, John ...	2020-2021 W...	46 Water...	100.00
Invoice	10/21/2024	5603	Murdock, John ...	2021-2022 W...	46 Water...	100.00
Invoice	10/21/2024	5603	Murdock, John ...	2022-2023 W...	46 Water...	100.00
Invoice	10/21/2024	5603	Murdock, John ...	2023-2024 W...	46 Water...	100.00
Invoice	10/21/2024	5603	Murdock, John ...	2024-2025 W...	46 Water...	100.00
Invoice	10/21/2024	5604	Murdock, John ...	2020-2021 W...	46 Water...	100.00
Invoice	10/21/2024	5604	Murdock, John ...	2021-2022W...	46 Water...	100.00
Invoice	10/21/2024	5604	Murdock, John ...	2022-2023 W...	46 Water...	100.00
Invoice	10/21/2024	5604	Murdock, John ...	2023-2024 W...	46 Water...	100.00
Invoice	10/21/2024	5604	Murdock, John ...	2024-2025 W...	46 Water...	100.00
Invoice	10/21/2024	5615	Dan & Rhonda ...	2024-2025 W...	46 Water...	100.00
Invoice	10/21/2024	5620	Kirk, Michael L. ...	2023-2024 W...	46 Water...	100.00
Invoice	10/21/2024	5620	Kirk, Michael L. ...	2024-2025 W...	46 Water...	100.00
Invoice	10/28/2024	5693	Milner, Catheryn	2022-2023 W...	46 Water...	100.00
Invoice	10/28/2024	5693	Milner, Catheryn	2023-2024 W...	46 Water...	100.00
Invoice	10/28/2024	5693	Milner, Catheryn	2024-2025 W...	46 Water...	100.00
Invoice	10/28/2024	335536	Robbers, Brian A.	2022-2023	46 Water...	51.95
Credit M...	10/28/2024	5624	Robbers, Brian A.	Paid diver dir...	46 Water...	-100.00
Credit M...	10/28/2024	5624	Robbers, Brian A.	Duplicate billi...	46 Water...	-100.00
Invoice	10/29/2024	2024-25...	Friend, Sarah L ...	2023-2024 W...	46 Water...	100.00
Invoice	10/29/2024	2024-25...	Friend, Sarah L ...	2024-2025 W...	46 Water...	100.00

## Dunes City

### Income by Fund for Receipts of the Session

October 10 through November 10, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
Invoice	11/04/2024	2021-22...	Smyth, Rosema...	2021-2022 A...	46 Water...	100.00
Invoice	11/04/2024	335395	Smyth, Rosema...	2022-2023 A...	46 Water...	100.00
Invoice	11/04/2024	335521	Figueredo, Virgi...	2022-2023 A...		100.00
Invoice	11/04/2024	5614	Fitzsimmons, S...	2020-2021 W...	46 Water...	100.00
Invoice	11/04/2024	5614	Fitzsimmons, S...	2021-2022 W...	46 Water...	100.00
Invoice	11/04/2024	5614	Fitzsimmons, S...	2022-2023 W...	46 Water...	100.00
Invoice	11/04/2024	5614	Fitzsimmons, S...	2023-2024 W...	46 Water...	100.00
Invoice	11/04/2024	5614	Fitzsimmons, S...	2024-2025 W...	46 Water...	100.00
Credit M...	11/04/2024	3300/15...	Figueredo, Virgi...	Lila waved thi...	46 Water...	-100.00
Credit M...	11/04/2024	3300/15...	Smyth, Rosema...	Duplicate-un...	46 Water...	-50.00
Credit M...	11/04/2024	3300/15...	Smyth, Rosema...	Duplicate-un...	46 Water...	-50.00
Credit M...	11/04/2024	3300/15...	Smyth, Rosema...	Duplicate-un...	46 Water...	-50.00
Total 46105 · Administrative Fees						2,971.95
Total 46000 · Water Right Fund Revenue						3,120.00
Total 40000 · Fund Revenue						33,910.92
Total Income						33,910.92
Gross Profit						33,910.92
Net Ordinary Income						33,910.92
<b>Net Income</b>						<b>33,910.92</b>

## Dunes City Profit & Loss by Class October 10 through November 10, 2024

	41 General Fund	42 Building Codes Fund
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>40000 · Fund Revenue</b>		
<b>41000 · General Fund Revenue</b>		
41107 · Business License Fees	466.00	255.00
41115 · Cigarette Tax	66.37	0.00
41125 · Fines	200.00	0.00
41145 · Lien Search Fees	275.00	0.00
41150 · Liquor tax	1,998.87	0.00
41155 · Miscellaneous	41.00	0.00
41175 · PUD Franchise	5,241.10	0.00
41180 · Septic Admin Fees	350.00	70.00
41000 · General Fund Revenue - Other	0.00	500.00
<b>Total 41000 · General Fund Revenue</b>	<b>8,638.34</b>	<b>825.00</b>
<b>42000 · Building Codes Fund Revenue</b>		
42104 · Building Surcharge	0.00	303.88
42115 · Electrical fees	0.00	465.00
42140 · Mechanical Fees	0.00	395.80
42145 · Plan Check/Review Fees	0.00	1,690.85
42150 · Planning Fee & LUCS	0.00	200.00
42155 · Plumbing fees	0.00	182.00
42165 · State Surcharge Fees	0.00	374.04
42175 · Structural Fees & Demolition	0.00	2,550.00
<b>Total 42000 · Building Codes Fund Revenue</b>	<b>0.00</b>	<b>6,161.57</b>
<b>43000 · State Street Fund Revenue</b>		
43115 · State Hwy Apportionment	0.00	0.00
<b>Total 43000 · State Street Fund Revenue</b>	<b>0.00</b>	<b>0.00</b>
<b>46000 · Water Right Fund Revenue</b>		
46104 · Fish Screens	0.00	0.00
46105 · Administrative Fees	0.00	0.00
<b>Total 46000 · Water Right Fund Revenue</b>	<b>0.00</b>	<b>0.00</b>
<b>Total 40000 · Fund Revenue</b>	<b>8,638.34</b>	<b>6,986.57</b>
<b>Total Income</b>	<b>8,638.34</b>	<b>6,986.57</b>
<b>Gross Profit</b>	<b>8,638.34</b>	<b>6,986.57</b>
<b>Expense</b>		
<b>51000 · Fund Expenses</b>		
<b>51100 · Personal Services</b>		
Administrative Wages	6,008.47	2,720.00
FUTA	0.00	0.00
Medicare	0.00	0.00
Oregon Unemployment	0.00	0.00
PERS-City Contrib	0.00	0.00
PERS-Employee	0.00	0.00
Social Security	0.00	0.00
Worker Comp Hourly	0.00	0.00
<b>Total 51100 · Personal Services</b>	<b>6,008.47</b>	<b>2,720.00</b>

**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	41 General Fund	42 Building Codes Fund
<b>51300 · Materials &amp; Services</b>		
Bldg Rep & Maint	195.00	0.00
Building Dept Svs	0.00	5,847.90
City Hall Visitor Center	-25.00	0.00
Community Center Maint/Repair	97.65	0.00
Consulting - Contracted	2,123.00	0.00
Custodial	220.00	0.00
Equipment	0.00	0.00
Fire Protection & WLEOG	294.31	0.00
Legal	4,000.00	0.00
Meter Readings	0.00	0.00
Miscellaneous	97.00	0.00
Office Equipment lease-copier	593.00	0.00
Office Supplies & Postage	40.00	0.00
Publishing	229.97	0.00
Street Lighting	0.00	0.00
Utilities	163.89	0.00
Water Right Preservation	0.00	0.00
99010 · Bank Service Charges	49.90	0.00
<b>Total 51300 · Materials &amp; Services</b>	<b>8,078.72</b>	<b>5,847.90</b>
<b>Total 51000 · Fund Expenses</b>	<b>14,087.19</b>	<b>8,567.90</b>
<b>66000 · Payroll Expenses</b>	<b>2.92</b>	<b>0.00</b>
<b>Total Expense</b>	<b>14,090.11</b>	<b>8,567.90</b>
<b>Net Ordinary Income</b>	<b>-5,451.77</b>	<b>-1,581.33</b>
<b>Net Income</b>	<b>-5,451.77</b>	<b>-1,581.33</b>



**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	43 Street Fund	46 Water Fund
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>40000 · Fund Revenue</b>		
<b>41000 · General Fund Revenue</b>		
41107 · Business License Fees	0.00	0.00
41115 · Cigarette Tax	0.00	0.00
41125 · Fines	0.00	0.00
41145 · Lien Search Fees	0.00	0.00
41150 · Liquor tax	0.00	0.00
41155 · Miscellaneous	0.00	0.00
41175 · PUD Franchise	0.00	0.00
41180 · Septic Admin Fees	0.00	0.00
41000 · General Fund Revenue - Other	0.00	0.00
<b>Total 41000 · General Fund Revenue</b>	0.00	0.00
<b>42000 · Building Codes Fund Revenue</b>		
42104 · Building Surcharge	0.00	0.00
42115 · Electrical fees	0.00	0.00
42140 · Mechanical Fees	0.00	0.00
42145 · Plan Check/Review Fees	0.00	0.00
42150 · Planning Fee & LUCS	0.00	0.00
42155 · Plumbing fees	0.00	0.00
42165 · State Surcharge Fees	0.00	0.00
42175 · Structural Fees & Demolition	0.00	0.00
<b>Total 42000 · Building Codes Fund Revenue</b>	0.00	0.00
<b>43000 · State Street Fund Revenue</b>		
43115 · State Hwy Apportionment	10,666.01	0.00
<b>Total 43000 · State Street Fund Revenue</b>	10,666.01	0.00
<b>46000 · Water Right Fund Revenue</b>		
46104 · Fish Screens	0.00	148.05
46105 · Administrative Fees	0.00	2,871.95
<b>Total 46000 · Water Right Fund Revenue</b>	0.00	3,020.00
<b>Total 40000 · Fund Revenue</b>	10,666.01	3,020.00
<b>Total Income</b>	10,666.01	3,020.00
<b>Gross Profit</b>	10,666.01	3,020.00
<b>Expense</b>		
<b>51000 · Fund Expenses</b>		
<b>51100 · Personal Services</b>		
Administrative Wages	0.00	0.00
FUTA	0.00	0.00
Medicare	0.00	0.00
Oregon Unemployment	0.00	0.00
PERS-City Contrib	0.00	0.00
PERS-Employee	0.00	0.00
Social Security	0.00	0.00
Worker Comp Hourly	0.00	0.00
<b>Total 51100 · Personal Services</b>	0.00	0.00

**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	43 Street Fund	46 Water Fund
<b>51300 · Materials &amp; Services</b>		
Bldg Rep & Maint	0.00	0.00
Building Dept Svs	0.00	0.00
City Hall Visitor Center	0.00	0.00
Community Center Maint/Repair	0.00	0.00
Consulting - Contracted	0.00	0.00
Custodial	0.00	0.00
Equipment	0.00	-1,300.00
Fire Protection & WLEOG	0.00	0.00
Legal	0.00	0.00
Meter Readings	0.00	530.00
Miscellaneous	0.00	0.00
Office Equipment lease-copier	0.00	61.15
Office Supplies & Postage	0.00	0.00
Publishing	0.00	0.00
Street Lighting	2,174.85	0.00
Utilities	0.00	0.00
Water Right Preservation	0.00	700.00
<b>99010 · Bank Service Charges</b>	0.00	0.00
<b>Total 51300 · Materials &amp; Services</b>	<u>2,174.85</u>	<u>-8.85</u>
<b>Total 51000 · Fund Expenses</b>	2,174.85	-8.85
<b>66000 · Payroll Expenses</b>	0.00	0.00
<b>Total Expense</b>	<u>2,174.85</u>	<u>-8.85</u>
<b>Net Ordinary Income</b>	<u>8,491.16</u>	<u>3,028.85</u>
<b>Net Income</b>	<u><u>8,491.16</u></u>	<u><u>3,028.85</u></u>

**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	49 Short Term Rental	Unclassified
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>40000 · Fund Revenue</b>		
<b>41000 · General Fund Revenue</b>		
41107 · Business License Fees	0.00	0.00
41115 · Cigarette Tax	0.00	0.00
41125 · Fines	0.00	0.00
41145 · Lien Search Fees	0.00	0.00
41150 · Liquor tax	0.00	0.00
41155 · Miscellaneous	0.00	0.00
41175 · PUD Franchise	0.00	0.00
41180 · Septic Admin Fees	0.00	0.00
41000 · General Fund Revenue - Other	4,500.00	0.00
<b>Total 41000 · General Fund Revenue</b>	4,500.00	0.00
<b>42000 · Building Codes Fund Revenue</b>		
42104 · Building Surcharge	0.00	0.00
42115 · Electrical fees	0.00	0.00
42140 · Mechanical Fees	0.00	0.00
42145 · Plan Check/Review Fees	0.00	0.00
42150 · Planning Fee & LUCS	0.00	0.00
42155 · Plumbing fees	0.00	0.00
42165 · State Surcharge Fees	0.00	0.00
42175 · Structural Fees & Demolition	0.00	0.00
<b>Total 42000 · Building Codes Fund Revenue</b>	0.00	0.00
<b>43000 · State Street Fund Revenue</b>		
43115 · State Hwy Apportionment	0.00	0.00
<b>Total 43000 · State Street Fund Revenue</b>	0.00	0.00
<b>46000 · Water Right Fund Revenue</b>		
46104 · Fish Screens	0.00	0.00
46105 · Administrative Fees	0.00	100.00
<b>Total 46000 · Water Right Fund Revenue</b>	0.00	100.00
<b>Total 40000 · Fund Revenue</b>	4,500.00	100.00
<b>Total Income</b>	4,500.00	100.00
<b>Gross Profit</b>	4,500.00	100.00
<b>Expense</b>		
<b>51000 · Fund Expenses</b>		
<b>51100 · Personal Services</b>		
Administrative Wages	0.00	0.00
FUTA	0.00	0.00
Medicare	0.00	0.00
Oregon Unemployment	0.00	0.00
PERS-City Contrib	0.00	53.64
PERS-Employee	0.00	0.00
Social Security	0.00	0.00
Worker Comp Hourly	0.00	0.00
<b>Total 51100 · Personal Services</b>	0.00	53.64

**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	<u>49 Short Term Rental</u>	<u>Unclassified</u>
<b>51300 · Materials &amp; Services</b>		
Bldg Rep & Maint	0.00	0.00
Building Dept Svs	0.00	0.00
City Hall Visitor Center	0.00	0.00
Community Center Maint/Repair	0.00	0.00
Consulting - Contracted	0.00	0.00
Custodial	0.00	0.00
Equipment	0.00	0.00
Fire Protection & WLEOG	0.00	0.00
Legal	0.00	0.00
Meter Readings	0.00	0.00
Miscellaneous	0.00	0.00
Office Equipment lease-copier	0.00	0.00
Office Supplies & Postage	0.00	0.00
Publishing	0.00	0.00
Street Lighting	0.00	0.00
Utilities	0.00	0.00
Water Right Preservation	0.00	0.00
99010 · Bank Service Charges	0.00	0.00
<b>Total 51300 · Materials &amp; Services</b>	<u>0.00</u>	<u>0.00</u>
<b>Total 51000 · Fund Expenses</b>	0.00	53.64
<b>66000 · Payroll Expenses</b>	0.00	0.00
<b>Total Expense</b>	<u>0.00</u>	<u>53.64</u>
<b>Net Ordinary Income</b>	<u>4,500.00</u>	<u>46.36</u>
<b>Net Income</b>	<u><u>4,500.00</u></u>	<u><u>46.36</u></u>

**Dunes City**  
**Profit & Loss by Class**  
 October 10 through November 10, 2024

	TOTAL
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>40000 · Fund Revenue</b>	
<b>41000 · General Fund Revenue</b>	
41107 · Business License Fees	721.00
41115 · Cigarette Tax	66.37
41125 · Fines	200.00
41145 · Lien Search Fees	275.00
41150 · Liquor tax	1,998.87
41155 · Miscellaneous	41.00
41175 · PUD Franchise	5,241.10
41180 · Septic Admin Fees	420.00
41000 · General Fund Revenue - Other	5,000.00
<b>Total 41000 · General Fund Revenue</b>	13,963.34
<b>42000 · Building Codes Fund Revenue</b>	
42104 · Building Surcharge	303.88
42115 · Electrical fees	465.00
42140 · Mechanical Fees	395.80
42145 · Plan Check/Review Fees	1,690.85
42150 · Planning Fee & LUCS	200.00
42155 · Plumbing fees	182.00
42165 · State Surcharge Fees	374.04
42175 · Structural Fees & Demolition	2,550.00
<b>Total 42000 · Building Codes Fund Revenue</b>	6,161.57
<b>43000 · State Street Fund Revenue</b>	
43115 · State Hwy Apportionment	10,666.01
<b>Total 43000 · State Street Fund Revenue</b>	10,666.01
<b>46000 · Water Right Fund Revenue</b>	
46104 · Fish Screens	148.05
46105 · Administrative Fees	2,971.95
<b>Total 46000 · Water Right Fund Revenue</b>	3,120.00
<b>Total 40000 · Fund Revenue</b>	33,910.92
<b>Total Income</b>	33,910.92
<b>Gross Profit</b>	33,910.92
<b>Expense</b>	
<b>51000 · Fund Expenses</b>	
<b>51100 · Personal Services</b>	
Administrative Wages	8,728.47
FUTA	0.00
Medicare	0.00
Oregon Unemployment	0.00
PERS-City Contrib	53.64
PERS-Employee	0.00
Social Security	0.00
Worker Comp Hourly	0.00
<b>Total 51100 · Personal Services</b>	8,782.11

**Dunes City**  
**Profit & Loss by Class**  
October 10 through November 10, 2024

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	<u>TOTAL</u>
<b>51300 · Materials &amp; Services</b>	
Bldg Rep & Maint	195.00
Building Dept Svs	5,847.90
City Hall Visitor Center	-25.00
Community Center Maint/Repair	97.65
Consulting - Contracted	2,123.00
Custodial	220.00
Equipment	-1,300.00
Fire Protection & WLEOG	294.31
Legal	4,000.00
Meter Readings	530.00
Miscellaneous	97.00
Office Equipment lease-copier	654.15
Office Supplies & Postage	40.00
Publishing	229.97
Street Lighting	2,174.85
Utilities	163.89
Water Right Preservation	700.00
<b>99010 · Bank Service Charges</b>	<u>49.90</u>
<b>Total 51300 · Materials &amp; Services</b>	<u>16,092.62</u>
<b>Total 51000 · Fund Expenses</b>	24,874.73
<b>66000 · Payroll Expenses</b>	<u>2.92</u>
<b>Total Expense</b>	<u>24,877.65</u>
<b>Net Ordinary Income</b>	<u>9,033.27</u>
<b>Net Income</b>	<u><u>9,033.27</u></u>

Permit issued: From Oct 15<sup>th</sup> to Nov 13<sup>th</sup> 2024

Structural: 3

Mechanical: 4

Plumbing: 2

Electrical: 2

Public Works: 0

NEW BUILDS: 1 (Included in other permits)

*East Lake Drive - New Home*

New or Renewed DCBL <sup>*unity business licenses*</sup> 8

Short Term Rental Apps: 2





**WHEREAS**, Dunes City land use codes do not allow the removal of vegetation in the Riparian Corridor, defined as the first Fifty (50) feet from the bank inland; and

**WHEREAS**, Dunes City land use codes do not allow the excavation, grading, fill, stream alteration or diversion, or removal of native vegetation, except for fire protection purposes, in the Riparian Corridor; and

**WHEREAS**, Responsible Party, Jack Thomas Claycomb has not complied with Case No. 2024.13.

### **FINDINGS OF FACT**

**NOW, THEREFORE**, The Code Enforcement Officer of Dunes City hereby finds that violations exist as defined in Chapter 155 of the Dunes City Code in that:

1. Jack Thomas Claycomb is the owner of the property located at 5104 Ford Way, bearing Map and Tax Lot Number 19-12-14-00-00900, as evidenced by Statutory Warranty Deed dated March 17, 2022, and recorded in the Lane County Deeds & Records as Document Number 2022-013993, on March 28, 2022, attached hereto as Exhibit A. and incorporated by reference herein, and that such property is situated within the incorporated City Limits of Dunes City;
2. On Monday June 17, 2024, Dunes City Permit Technician, Pamela Palmer, received a telephone complaint message stating that Jack Thomas Claycomb was having a tree cut by someone with a lift truck to take the top of the tree; and
3. On Tuesday July 16, 2024, Dunes City Permit Technician, Pamela Palmer, investigated and found that a tree had been cut in the riparian area without a permit as evidenced in pictures attached hereto as exhibit B and incorporated by reference herein; and
4. As of September 5, 2024, Responsible Party, Jack Thomas Claycomb has not complied with Code Enforcement Case No. 2024.13.

### **CONCLUSIONS OF LAW**

1. Jack Thomas Claycomb is the property owner of the property located at 5104 Ford Way, bearing Map and Tax Lot Number 19-12-14-00-00900, is the person in charge of the property in which a Code violation exists, and is the person who caused the Code Violation to come into or continue to in existence, and, therefore, is a Responsible Party in this matter in that Section 36.010 of the Dunes City Code of Ordinances defines the "Personal Responsible" as:

“(a) The owner of the property on which a Code violation exists.

“(b) The person in charge of the property in which a Code violation exists.

“(c) The person who causes the Code Violation to come into or continue in existence.”

2. Jack Thomas Claycomb, is the Responsible Party as defined in Title XIV, Chapter 141, entitled “Erosion and Sediment Control”, Section 141.002, which states, in part:

**“Responsible Party:**

“A. A person or entity holding fee title to a property, tenant, lessee, or a person or entity who is acting as an owner’s representative including any person, company, nonprofit organization or other entity performing services that are contracted, subcontracted, or obligated by other agreement to meet the requirements of this Code.”

3. Chapter 154, entitled Soil Erosion Control and Vegetation Removal, Section 154.02, Definitions, of the Dunes City Code of Ordinances defines Shoreland Zone as:

“The shoreland zone includes all lands within 50 feet measured horizontally from the ordinary highwater line of all lakes and below.

4. Section 154.03 of the Dunes City Code of Ordinances states:

**“(A) Generally**

“(1) A vegetation removal permit is required if any vegetation/tree is to be removed from the shoreland zone or riparian corridor, except as provided in (B)(1)(a) through (c) below.

“(2) No vegetation shall be removed under a vegetation removal permit except as follows:

“(a) Vegetation within 15 feet of the ordinary highwater mark in the shoreland zone or the top of the bank in riparian corridors may be removed if necessary for the development of water-dependent or water-related uses.

“(b) 1. As much as 25% of the “original vegetation inventory” of the land area in any shoreland zone or riparian corridor that is more than 15 feet but less than 50 feet from the ordinary water line may be trimmed or cleared of natural vegetation with an approved vegetation removal permit provided that such action will not result in soil erosion.

“2. The “original vegetation inventory” is to be determined by county stumps and other evidence of prior vegetation removal, based on what has been removed and what is growing. (The intent of this is to prevent subsequent property owners from each taking 25% until the shoreland could be stripped.)

“(c) Vegetation which must be removed in conjunction with development otherwise allowed in the shoreland zone and riparian corridor.

“(B) *Exceptions to permit requirement.*

“(1) A vegetation removal permit is not required for:

- “(a) periodic maintenance as defined in Section 154.02;
- “(b) Removal of non-native vegetation or noxious weeds such as tansy-ragwort, Canadian thistle, gorse, or wild Scotch broom;
- “(c) Any tree that is determined to be a sudden or immediate threat to life structures, or property.”

5. Jack Thomas Claycomb, failed or refused to apply for a permit to do work or remove vegetation in the shoreline zone of the property and, consequently, are in violation of the provisions of Section 154.03 of the Dunes City Code of Ordinances.

6. The disturbance or removal of vegetation was done by Jack Thomas Claycomb, the Responsible Party within 100 horizontal feet of the highwater mark of Woahink Lake and an area of wetlands located near the residential structure located on the property.

7. Chapter 36 of the Dunes City Code establishes the duties, responsibilities and authorities granted to the City Code Enforcement Officer and grants such Officer a variety of means for resolving violations of Dunes City Code. Section 36.070 states:

“In the event of a finding of a violation of the Code, the Code Enforcement Officer may take the following actions:

“A. Seek voluntary compliance to abate the violation without any further action being taken;

“B. Summarily abate the violation if the violation is an immediate threat to public health and safety or endangers property;

“C. Impose administrative costs against the person found to be responsible for the violation;

“D. Issue a notice of violation;

“E. Issue a cease-and-desist order;

“F. Abate;

“G. Fine;

“H. Execute a stipulation agreement; and/or

“I. Commence civil proceedings.”

14. Section 36.90 of the Dunes City Code of Ordinances addresses Abatement or Correction of a violation, the assessment of costs, and that all costs incurred by the City will be placed as a lien against the property. Section 36.90(H) thereof states:

“H, Abatement or correction of a code violation is not a penalty, but is an additional remedy. Imposition of a penalty for a code violation does not relieve the Person or Persons Responsible of the duty to abate or correct the violation.”

15. Section 36.095(A) states:

“A Any person found to be in violation of any section or provision of this City Code, where no other penalty is set forth, shall be punished by a fine not to exceed FIVE HUNDRED DOLLARS (\$500.00) for any one offense, each day constituting a separate offense.”

**ORDER FOR CORRECTIVE ACTION AND  
IMPLEMENTATION OF FINE**

**ORDER**


It is hereby ORDERED that Responsible Party, Jack Thomas Claycomb, take or cause to be taken, the following corrective action:

1. Pay a fine in the amount of FIVE HUNDRED DOLLARS (\$500) a day with each day constituting a separate offense as of August 21, 2024. If the fine is unpaid as of September 30, 2024, the debt may be sent to private collections. If this debt is sent to collections, a debt collection fee of 20% will be added to the debt.

Failure to comply with this Order may result in the Code Enforcement Officer pursuing further administrative and judicial enforcement actions, including assessments of fines, abatement, and the filing of criminal charges.

**NOTICE:** THE PERSONS RESPONSIBLE, OR THE OWNERS OF THE PROPERTY, MAY APPEAL THIS ORDER FOR CORRECTIVE ACTION TO THE DUNES CITY COUNCIL BY DELIVERING A WRITTEN REQUEST FOR REVIEW TO THE CITY RECORDER WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE OF ISSUANCE OF THIS NOTICE OF VIOLATION AND THE PAYMENT OF ALL REQUISITE APPEAL FEES. IF THE PERSON RESPONSIBLE OR THE PROPERTY OWNER FAILS TO TIMELY FILE A WRITTEN REQUEST FOR REVIEW, THE CODE ENFORCEMENT OFFICER’S FINDING THAT A VIOLATION HAS OCCURRED WILL BE FINAL.

APPROVED AND ORDERED BY THE CODE ENFORCEMENT OFFICER this 5<sup>th</sup> day of September, 20 24.

  
\_\_\_\_\_  
Lila Timmons  
Code Enforcement Officer

ATTEST:

  
\_\_\_\_\_  
Pamela Palmer  
City Planner



After recording return to:  
Jack Thomas Claycomb  
5104 Ford Way  
Florence, OR 97439

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Jack Thomas Claycomb  
5104 Ford Way  
Florence, OR 97439

File No.: 7193-3914082 (CSK)  
Date: March 11, 2022

THIS SPACE RESERVED FOR RECORDER'S USE	
Lane County Clerk Lane County Deeds & Records	<b>2022-013993</b> 03/28/2022 09:33:36 AM
RPR-DEED Cnt=1 Sin=8 CASHIER 12 4pages \$20.00 \$11.00 \$10.00 \$61.00	<b>\$102.00</b>

### STATUTORY WARRANTY DEED

**The Buehler Family LLC, an Oregon limited liability company, Grantor, conveys and warrants to Jack Thomas Claycomb, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,140,000.00**. (Here comply with requirements of ORS 93.030)

Exhibit A, Page 1

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 17 day of MARCH, 2021.

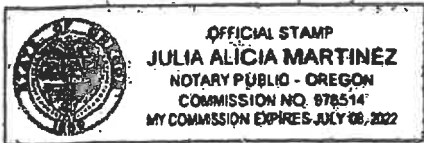
The Buehler Family LLC, an Oregon limited liability company

By: [Signature]  
Name: Alfred James Buehler  
Title: Member

By: [Signature]  
Name: Marjorie C. Woyden  
Title: Member

STATE OF Oregon )  
County of Deschutes ) ss.  
~~Lane~~

This instrument was acknowledged before me on this 17 day of March, 2022 by Alfred James Buehler as Member and as of The Buehler Family LLC, on behalf of the limited liability company.



[Signature]  
Notary Public for Oregon  
My commission expires: July 8, 2022

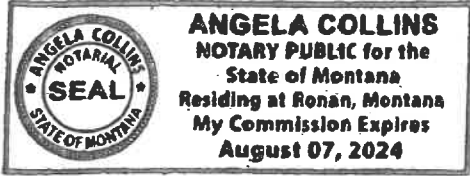
APN: 0863371

Statutory Warranty Deed  
- continued

File No.: 7193-3914082 (CSK)

STATE OF Montana  
~~Oregon~~ )  
County of ~~Lane~~ Lake )ss.  
)

This instrument was acknowledged before me on this 18<sup>th</sup> day of March, 2022  
by as and Marjorie C. Woyden as Member of The Buehler Family LLC, on behalf of the limited liability  
company.



Angela Collins  
Notary Public for ~~Oregon~~ Montana  
My commission expires: 8/7/2024



**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Lane, State of Oregon, described as follows:

**BEGINNING AT A POINT WHICH IS 327.07 FEET NORTH AND 180.15 FEET EAST OF THE SOUTHERLY MEANDER CORNER ON THE LINE BETWEEN SECTIONS 14 AND 15, TOWNSHIP 19 SOUTH, RANGE 12 WEST, WILLAMETTE MERIDIAN, WHICH BEGINNING POINT IS MARKED BY AN IRON PIPE DRIVEN IN THE GROUND; THENCE NORTH 77° EAST 62.74 FEET TO AN IRON PIPE, THENCE SOUTH 13° EAST 40.00 FEET TO AN IRON PIPE; THENCE NORTH 77° EAST 267.00 FEET MORE OR LESS, TO SHORE OF WOHINK LAKE THE LINE BEING MARKED BY AN IRON PIPE DRIVEN AT THE TOP OF THE BANK; THENCE SOUTHWESTERLY FOLLOWING THE SHORE LINE OF WOHINK LAKE TO A POINT ON THE SHORE WHICH IS SOUTH 30° EAST OF THE POINT OF BEGINNING; THENCE NORTH 30° WEST 324.00 FEET MORE OR LESS, TO POINT OF BEGINNING, SAID LINE NEAR WATER BEING MARKED BY AN IRON PIPE, TOGETHER WITH ANY RIPARIAN RIGHTS WHICH THE GRANTORS MAY POSSESS THAT PERTAIN TO THIS LAND, AND BEING IN LOT 3, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 12 WEST, WILLAMETTE MERIDIAN, ALL IN LANE COUNTY, OREGON.**

**ALSO: BEGINNING AT A POINT WHICH IS 327.07 FEET NORTH AND 180.15 FEET EAST OF THE SOUTHERLY MEANDER CORNER ON THE SECTION LINE BETWEEN SECTIONS 14 AND 15, TOWNSHIP 19 SOUTH, RANGE 12 WEST, WILLAMETTE MERIDIAN, IN LANE COUNTY, OREGON, WHICH BEGINNING POINT IS MARKED BY AN IRON PIPE DRIVEN IN THE GROUND, SAID POINT BEING IDENTICAL WITH THE BEGINNING POINT OF LAND DEEDED TO JOHN STARK EVANS AND MARJORIE G. EVANS BY JAMES W. FORD, JR. AND EDNA C. FORD ON NOVEMBER 7, 1940, THENCE NORTH 30° 00' WEST 20.90 FEET TO AN IRON PIPE, THENCE SOUTH 77° 00' WEST 104.57 FEET, THENCE SOUTH 30° 00' EAST 392.00 FEET MORE OR LESS TO THE SHORE OF WOHINK LAKE, THENCE SOUTHEASTERLY AND NORTHEASTERLY FOLLOWING THE SHORE LINE OF WOHINK LAKE AROUND A POINT OF LAND TO A POINT MARKED BY AN IRON PIPE WHICH IS SOUTH 30° EAST 324 FEET DISTANT FROM THE POINT OF BEGINNING, THENCE NORTH 30° 00' WEST 324.00 FEET ALONG THE LINE OF LAND OWNED BY JOHN STARK EVANS AND MARJORIE G. EVANS TO THE POINT OF BEGINNING.**

**NOTE:** This Legal Description was created prior to January 01, 2008.



↑  
Exhibit B, Page       
tree chopped w/ no permit

**ORDINANCE NO. 271**

**AN ORDINANCE CORRECTING ORDINANCE NO. 231-A, AND SPECIFICALLY SECTION 51.20 ENTITLED "DEFINITIONS" BY ADDING THE DEFINITION OF WOAHING LAKE TO COMPLY WITH THE OREGON WATER RESOURCES DEPARTMENT PERMIT NO. S33923 (APPLICATION NO. 45456), SECTION 51.45 AMENDING THE REQUIREMENTS OF A NEW PROPERTY OWNER AND THE ELIMINATION OF SECTION 51.50.**

**WHEREAS**, the Dunes City Council adopted Ordinance No. 231-A on February 11, 2016 which authorized the sharing of the City's domestic water right and establishing requirements, applications, fees, costs and penalties associated therewith; and

**WHEREAS**, language contained in Ordinance No. 231-A which refers to the diversion of water from Woahink Lake; and

**WHEREAS**, language contained in Ordinance No. 231-A which refers the requirements of a new property owner's participation in the Dunes City Shared Domestic Water Supply.

**WHEREAS**, Dunes City desires to ensure its Code provisions are compatible with State law, rules and regulations;

**NOW, THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:**

**Section 1.** Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.20, a definition of "Woahink Lake" is added to read as follows:

***"WOAHINK LAKE.*** A water source which includes Woahink Lake, Woahink Creek and Siltcoos Lake."

**Section 2.** Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.45, is amended to read as follows:

"Any approved Applicant for participation in the Dunes City Shared Domestic Water Supply must sign an Agreement with the City for use of the Dunes City water right under the terms of the City's state permit."

**Section 3.** Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.50 is to be eliminated.

**Section 4.** Effective Date

An emergency exists in that the error contained in Ordinance 231-A is not in the best interests of the residents of Dunes City and should not be allowed to continue.

Consequently, the provisions of this ordinance will become effective immediately to correct the errata found in Ordinance No. 231-A.

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Passed at the first reading in regular meeting of the City Council of Dunes City, Oregon, on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_ Vacant \_\_\_\_\_

Passed at the second reading and placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_ Vacant \_\_\_\_\_

**ADOPTED BY THE DUNES CITY COUNCIL, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2\_\_\_\_\_.**

\_\_\_\_\_  
Ed McGuire, Mayor

ATTEST:

\_\_\_\_\_  
Lila Timmons, City Administrator

## Lila Timmons

---

**From:** DOUTHIT Susan M \* WRD <Susan.M.DOUTHIT@water.oregon.gov>  
**Sent:** Tuesday, August 6, 2024 10:24 AM  
**To:** recorder@dunescityor.com  
**Cc:** 'MayorEd McGuire'  
**Subject:** RE: Today's Questions

Dunes City holds three "use" rights  
All three list Woahink as the source.  
Woahink water is first diverted thru Woahink Creek into Siltcoos Lake where folks divert it into their private systems.  
~S

**From:** Lila Timmons <recorder@dunescityor.com>  
**Sent:** Tuesday, August 6, 2024 10:00 AM  
**To:** DOUTHIT Susan M \* WRD <Susan.M.DOUTHIT@water.oregon.gov>  
**Cc:** 'MayorEd McGuire' <mayoredmcguire@gmail.com>  
**Subject:** RE: Today's Questions

With the Dunes City water right, our citizens can pull from either Siltcoos or Woahink Lake, correct? It is the consensus in the office that the water rights are for only Woahink Lake. Even our Ordinance says so.

**CITY OF DUNES CITY,  
LANE COUNTY, OREGON**

**RESOLUTION SERIES 2024, NO. 10**

Effective Date: 11/20/2024

**A RESOLUTION ESTABLISHING A MANDATE FOR A PERMIT IN ORDER TO OPERATE A SHORT-TERM RENTAL IN THE DUNES CITY LIMITS; ESTABLISHING THE APPLICATION FEE FOR A SHORT-TERM RENTAL PERMIT; ESTABLISHING THE PERMIT FEE FOR A SHORT-TERM RENTAL PERMIT; ESTABLISHING A 5% MONTHLY FEE BASED ON GROSS REVENUE FROM HOME RENTALS; ESTABLISHING NON-COMPLIANCE FEES FOR EACH RENTAL PERIOD; AND ESTABLISHING A LIMIT TO THE NUMBER OF SHORT-TERM RENTALS ALLOWED IN DUNES CITY LIMITS**

**WHEREAS**, the City of Dunes City has approved Ordinance Number 256-B establishing and mandating an approved permit from the City in order to operate a Short-Term Rental within the City limits of Dunes City; and

**WHEREAS**, the City Council recognizes the need to establish fees for the permit to cover City costs and expenses incurred in the investigation of said permit allegations, and issuance of the One (1) year permit; and

**WHEREAS**, the City Council finds that it is in the best interests of the residents of Dunes City to require the issuance of a Short-Term Rental Permit under the conditions set forth in Ordinance No 256-B; to establish and collect permit application fees for the same; and

**WHEREAS**, the City Council established a limit of 35 Short-Term Rental permits in the Dunes City limits; and

**WHEREAS**, the City Council recognizes the need to establish fees for non-compliance of Ordinance Number 256-B which are to be \$1500 for the first verifiable rental period without a short-term rental permit, \$2250 for the second verifiable rental period without a short-term rental permit and \$3375 for the third and each additional verifiable rental period without a short-term rental permit; the City will not approve a license to a Short-Term Rental that has received three or more violations.

**NOW, THEREFORE, BE IT RESOLVED BY THE DUNES CITY COUNCIL AS FOLLOWS:**

That the City Administrator be, and is hereby, authorized and directed to use the Short-Term Rental Permit Application Form(s), to collect fees for the filing of such permit in the amount of FIVE HUNDRED (\$500) as an application fee, ONE THOUSAND (\$1,000) as a permit fee, and a FIVE PERCENT (5%) monthly fee on the gross revenue from the permitted rental.

That the City Administrator be, and is hereby, authorized and directed to use the Short-Term Rental this Resolution Series 2024 No. 9, to collect non-compliance fees for renting a home without a short-term rental permit in the amount of ONE THOUSAND FIVE HUNDRED (\$1500) for the first violation, TWO THOUSAND TWO HUNDRED FIFTY (\$2250) for the second violation and THREE THOUSAND THREE HUNDRED SEVENTY-FIVE (\$3375) for the third and succeeding violations.

That the City Administrator be, and is hereby, authorized and directed to limit the number of Short-Term Rentals in the Dunes City limits to 35.

This Resolution shall be effective following its adoption by the City Council of the City of Dunes City.

**ADOPTED BY THE DUNES CITY COUNCIL THIS 20th DAY OF NOVEMBER, 2024.**

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_ Vacant: \_\_\_\_\_

\_\_\_\_\_  
Ed McGuire, Mayor

ATTEST:  
\_\_\_\_\_  
Lila Timmons, City Administrator/Recorder