

CITY OF NEWPORT

ORDINANCE NO. 2134

**AN ORDINANCE AMENDING ORDINANCES 1993, 2009, and 2020,
EXTENDING THE BAYFRONT, CITY CENTER AND NYE BEACH
ECONOMIC IMPROVEMENT DISTRICTS FOR PARKING SYSTEM IMPROVEMENTS
AND THE ASSESSMENT OF A SURCHARGE ON BUSINESS LICENSE FEES
FOR A PERIOD OF 12-MONTHS AND DECLARING AN EMERGENCY**

WHEREAS, at the request of area business owners, the Newport City Council adopted Ordinance Nos. 1993, 2009, and 2020 establishing the Nye Beach, City Center and Bayfront Commercial Parking Districts ("Parking Districts") to generate funding to pay for parking system improvements in the respective commercial areas; and

WHEREAS, each of the Parking Districts is an economic improvement district, funded through a business license surcharge, and was authorized for a 5-year periods; and

WHEREAS, Ordinance No. 1993, which created the Nye Beach Parking District, was established a year earlier than the other Parking Districts, and was extended for a 12-month period with Ordinance No. 2078 so that it was in sync with the effective dates of the other Parking Districts; and

WHEREAS, Ordinance No. 2098, extended the Parking Districts for 24-months so that a parking study could be performed to establish whether or not the Parking Districts should continue in their current form or whether an alternative approach should be pursued to address each of the areas parking needs; and

WHEREAS, an additional 12-month extension is needed, to provide continuity in how the City assesses fees in the Parking Districts while the recently completed parking study's recommendations are vetted with the public; and

WHEREAS, Oregon Revised Statute (ORS) 223.154 provides that a City Council may extend the effective period of Parking Districts and business license surcharges for a specific period of time provided it grants persons conducting business in the districts with notice and right of remonstrance; and

WHEREAS, notice was provided to affected businesses in accordance with ORS 223.147 informing business owners of their right to appear in support or opposition to the 12-month extension to the business license surcharges; and

WHEREAS, fewer than 33 percent of persons conducting business within the Parking Districts submitted written objections to the City Council extending the Parking Districts.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. The above findings are hereby adopted as support for the amendments, below.

Section 2. Section 10 of Ordinance No. 1993, Duration, is amended to read as follows:

“The District shall be in effect through June 30, 2019. Council may extend the duration of the District, after following the public notice procedure outlined in ORS 223.147. In the event the District is not renewed then off-street parking requirements shall apply as provided for in the Newport Zoning Ordinance in effect at the time the District is dissolved.”

Section 3. Section 10 of Ordinance No. 2009, Duration, is amended to read as follows:

“The District shall be in effect through June 30, 2019. Council may extend the duration of the District, after following the public notice procedure outlined in ORS 223.147. In the event the District is not renewed then off-street parking requirements shall apply as provided for in the Newport Zoning Ordinance in effect at the time the District is dissolved.”

Section 4. Section 11 of Ordinance No. 2020, Duration, is amended to read as follows:


“The District shall be in effect through June 30, 2019. Council may extend the duration of the District, after following the public notice procedure outlined in ORS 223.147. In the event the District is not renewed then off-street parking requirements shall apply as provided for in the Newport Zoning Ordinance in effect at the time the District is dissolved.”

Section 5. All other provisions of Ordinance Nos. 1993, 2009, and 2020 remain in full force and effect.

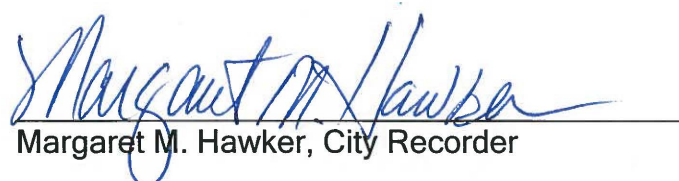
Section 6. Emergency Declaration. Business licenses are renewed and surcharges collected at the beginning of the fiscal year, which starts on July 1, 2018. In order to avoid public confusion and to facilitate continuity of collections it is hereby adjudged and declared that an emergency exists requiring that this ordinance take effect immediately upon passage, as such action is necessary for the immediate preservation of the public peace, health, and safety of the City of Newport. Accordingly, this ordinance shall be in full force and effect as of the date of its adoption.

Date adopted and read by title only: June 18, 2018.

Signed by the Mayor on June 19, 2018.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

Approved as to form:



Steven E. Rich, City Attorney