



ALBANY CITY COUNCIL AGENDA

Monday, October 12, 2020

This meeting will be conducted virtually. At 4:00 p.m., join the meeting at:

<https://www.gotomeet.me/cityofalbany/ccm>

You can use your built-in microphone or dial in using your phone.

Call: [1-646-749-3129](tel:1-646-749-3129)

Access code: [491-970-829](tel:491-970-829)

Microphones will be muted and webcams will be turned off for presenters and members of the public unless called upon to speak.

Requests for information to be shared on screen must be submitted before noon on the day of the meeting.

If participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off.

If disruption continues, the participant(s) will be removed from the meeting.

4:00 p.m. Call to order and roll call

4:05 p.m. Business from the public

*Persons wanting to provide comment to the council during "business from the public" are encouraged to send their written comments by email to cityclerk@cityofalbany.net before **noon the day of the meeting** in order to be included in the public record. Please limit comments to one page and include your name and city.*

4:10 p.m. Work without permit fee methodology – Johnathan Balkema. [Pages 2-7]

Action Requested: Information, discussion.

4:40 p.m. Potential opportunities for on-street dining – Matthew Ruettgers. [Verbal]

Action Requested: Information, discussion.

4:50 p.m. Business registration discussion – Seth Sherry. [Pages 8-9]

Action Requested: Information, discussion, direction.

5:10 p.m. Attendance policy for citizen advisory groups – Holly Roten. [Pages 10-13]

Action Requested: Information, discussion, direction.

5:20 p.m. Business from the council

5:25 p.m. City manager report

5:30 p.m. Adjournment

Due to Governor Brown's Executive Orders limiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public via phone and video connection.

cityofalbany.net





MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 10/8*
Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Sean Kidd, City Attorney
Johnathan Balkema, Building Official Manager *JB*

DATE: October 6, 2020, for the October 12, 2020, City Council Work Session

SUBJECT: Assessing Penalties for Work Conducted without Building Permits
Relates to Strategic Plan theme | Relates to: Effective Government

Action Requested:

Informational only; no action required.

Discussion:

At the September 21, 2020, City Council Work Session, council expressed concern about work conducted without building permits and an apparent lack of ability to deter such action through penalties or fines. Council directed staff and the city attorney to conduct an evaluation and report back on current procedures and available options. This memo is intended to satisfy that request.

Like the rest of the state, Albany relies on the Oregon Building Codes to guide building activities in the City of Albany. Oregon Building Codes are adopted by the Department of Consumer and Business Services: Building Codes Division (BCD) through Oregon Revised Statute (ORS) 455 and locally implemented through Title 18 of the Albany Municipal Code (AMC). For communities like Albany that are delegated authority from the state to run a local building program, they must have their fees reviewed and approved by the state. This is because Albany's program is still technically a state program; we have simply been given permission to operate a local program on the state's behalf. Doing so has many benefits but does not give complete program control over to the City.

Historically, most building divisions used what was termed "double feeing" for assessing penalties on work completed without building permits. Much like it sounds, a property owner would have to get permits for their originally unpermitted work and pay double the permit fees. In 2013, the legislature adopted new rules for fees leveraged against individuals that completed work without required permits. In response, Albany removed the "double feeing" structure and, instead, implemented an investigation fee that is equal to \$70.00 per hour, plus a 30 percent administrative surcharge or \$150.00, whichever is greater. Staff at the time determined this was the appropriate fee allowed under the new legislation. (See Attachment A for statutory limitations.)

Albany's current enforcement program is not aggressive. We do not have enforcement staff canvassing the city looking for work without permits. Most of the time, staff becomes aware of work conducted without permits by complaints, site visits for other permitted activities, or witnessing the mobilization of construction equipment to a job site.

When work without required permits is identified, staff's first approach is to educate and work with the property owner and contractors to obtain required permits. It is not uncommon for property owners to be unaware of required permits. However, most major building activities are conducted by licensed contractors that are aware of permitting requirements. Staff has not made broad use of the investigation fee as a matter of practice, rather it has only been applied to more extreme cases of non-compliance.

Considering the perceived low volume of unpermitted work that is captured and the modest use of available penalties for such work, council expressed concern that some contractors may be tempted to not obtain required permits. With this in mind, council requested an evaluation of options for assessing penalties.



Option for Additional Civil Penalty

ORS provides for assessment of civil penalties for work ~~with~~ without permits (see Attachment B). Civil penalties can be assessed in addition to the investigation fee but are not something that Albany routinely pursues for work without building permits. Statutes state that the civil penalty shall not exceed \$5,000.00 for each offense, or \$1,000.00 a day for continuing offenses. When imposing a civil penalty, the noticing and hearing rights of ORS 183 must be followed.

Albany's civil penalties are identified in the AMC (see Attachment C). The municipal code includes a multi-tier civil penalty approach where licensed or unlicensed contractors have a higher civil penalty imposed than homeowners. The current penalties are set at \$1,000.00 and \$500.00, respectively. In both cases, if the individual corrects the issue within 10 business days, the penalty is reduced to the greater of one-quarter of the penalty or double of the permit fee. In cases where an individual has repeat violations within a 12-month period, the penalty is doubled. In cases where it is determined to be an imminent threat, the penalty is doubled.

Whereas assessing the investigation fee is easily facilitated, assessing a civil penalty is more cumbersome. Assessing a civil penalty requires enforcement actions that go beyond the building division, requiring actions from the Albany Police Department, city attorney, and municipal court. Upon receiving the case from the building division, Albany police would issue a citation and turn it over to the city attorney. Similar to a traffic infraction, civil penalties require specific noticing related to the right to a hearing, right of active duty service members to stay the proceedings, a statement of the issue, and whether a default order may be entered. Depending on the action taken by the recipient of the civil penalty, the city attorney may pursue the civil penalty through the municipal court system.

Next Steps

In reviewing current statutes, staff identified the need to update the AMC's civil penalty sections. Staff will work with the city attorney to conduct a comprehensive review and bring proposed code amendments forward to a future council meeting. These amendments are intended only to align current AMC language with statute. However, council could also consider increasing the civil penalty at the same time.

Based on council's prior discussion, questions Council may want to consider are:

- Does council want the building division to proactively search for work without permits? This would require additional staffing to monitor building activity around the city and verify permits for witnessed activity.
- Does council want the building division to apply the investigative fee more aggressively on work without building permits?
- In addition to being more aggressive with the investigation fee, does council want the building division to apply civil penalties more routinely for work without permits? This will require additional effort from the building division, the Albany Police Department, city attorney, and municipal court. If the answer to this question is yes, staff will need council to provide guidance on desired approach.
- Does council want to increase the civil penalty within the limits allowed by statute?

Budget Impact:

None at this time. Should council direct staff to apply the investigation fee more aggressively, there will be increased revenues without meaningful increases in expenses. If council directs staff to apply civil penalties more routinely for work without permits, there will be additional compliance and legal costs, as well as additional revenues from assessed penalties. How the additional revenues will compare to additional expenses is unknown.

JB:kr
Attachment (3)

Attachment A

455.058 Investigation fee for work commenced without permit; rules.

(1) Except as provided in subsection (2) of this section, the Department of Consumer and Business Services, or a municipality administering and enforcing a building inspection program, may assess an investigation fee against a person that is required to obtain a permit for work on the electrical, gas, mechanical, elevator, boiler, plumbing or other systems of a building or structure if the work is commenced before the permit required for the work is obtained. The amount of the investigation fee shall be the average or actual additional cost of ensuring that a building, structure or system is in conformance with state building code requirements that results from the person not obtaining a required permit before work for which the permit is required commences.

(2) This section does not apply to:

(a) An emergency repair required for health, safety, the prevention of property damage or the prevention of financial harm if the required building permit for the repair is obtained no later than five business days after commencement of the repair; or

(b) Any project for which construction, alteration, repair, maintenance or installation in a building or structure prior to obtaining a permit is expressly authorized by law.

(3) The department may adopt rules and establish policies and procedures for use by the department or municipalities in assessing an investigation fee under this section. [2013 c.324 §2]

Note: 455.058 was added to and made a part of ORS chapter 455 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

Attachment B

455.895 Civil penalties.

- (1)(a) The State Plumbing Board may impose a civil penalty against a person as provided under ORS 447.992 and 693.992. Amounts recovered under this paragraph are subject to ORS 693.165.
- (b) The Electrical and Elevator Board may impose a civil penalty against a person as provided under ORS 479.995. Amounts recovered under this paragraph are subject to ORS 479.850.
- (c) The Board of Boiler Rules may impose a civil penalty against a person as provided under ORS 480.670. Amounts recovered under this paragraph are subject to ORS 480.670.
- (2) The Department of Consumer and Business Services, or an appropriate advisory board, if any, may at its discretion impose a civil penalty against any person who violates the state building code or ORS 446.003 to 446.200, 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646, 446.666 to 446.746, 479.510 to 479.945, 479.950 or 480.510 to 480.670, or this chapter or ORS chapter 447, 460 or 693, or any rule adopted or order issued for the administration and enforcement of those statutes. Except as provided in subsections (3), (4) and (9) of this section or ORS 446.995, a civil penalty imposed under this section must be in an amount determined by the appropriate advisory board or the department of not more than \$5,000 for each offense or, in the case of a continuing offense, not more than \$1,000 for each day of the offense.
- (3) Each violation of ORS 446.003 to 446.200 or 446.225 to 446.285, or any rule or order issued under ORS 446.003 to 446.200 or 446.225 to 446.285, constitutes a separate violation with respect to each manufactured dwelling or with respect to each failure or refusal to allow or perform an act required under ORS 446.003 to 446.200 or 446.225 to 446.285, except that the maximum civil penalty may not exceed \$1 million for any related series of violations occurring within one year from the date of the first violation.
- (4) The department may impose a civil penalty of not more than \$25,000 against a public body responsible for administering and enforcing a building inspection program. As used in this subsection, “public body” has the meaning given that term in ORS 174.109.
- (5) The maximum penalty established by this section for a violation may be imposed only upon a finding that the person has engaged in a pattern of violations. The department, by rule, shall define what constitutes a pattern of violations. Except as provided in subsections (1) and (10) of this section, moneys received from any civil penalty under this section are appropriated continuously for and shall be used by the department for enforcement and administration of provisions and rules described in subsection (2) of this section.
- (6) Civil penalties under this section shall be imposed as provided in ORS 183.745.
- (7) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the department or the appropriate advisory board considers proper and consistent with the public health and safety. In any judicial review of a civil penalty imposed under this section, the court may, in its discretion, reduce the penalty.
- (8) Any officer, director, shareholder or agent of a corporation, or member or agent of a partnership or association, who personally participates in or is an accessory to any violation by the partnership, association or corporation of a provision or rule described in subsection (2) of this section is subject to the penalties prescribed in this section.

(9) In addition to the civil penalty set forth in subsection (1) or (2) of this section, any person who violates a provision or rule described in subsection (2) of this section may be required by the department or the appropriate advisory board to forfeit and pay to the General Fund of the State Treasury a civil penalty in an amount determined by the department or advisory board that does not exceed five times the amount by which such person profited in any transaction that violates a provision or rule described in subsection (2) of this section.

(10) If a civil penalty is imposed for a violation of a provision of ORS 446.566 to 446.646 and the violation relates to a filing or failure to file with a county assessor functioning as agent of the department, the department, after deducting an amount equal to the department's procedural, collection and other related costs and expenses, shall forward one-half of the remaining civil penalty amount to the county in which the manufactured structure is located at the time of the violation. [1991 c.792 §4; 1991 c.734 §111; 1999 c.1045 §19; 2001 c.411 §21; 2003 c.14 §286; 2003 c.655 §76; 2007 c.549 §6; 2007 c.898 §1; 2013 c.324 §11; 2019 c.422 §22]

455.897 Criminal penalties. Violation of ORS 455.455 or 455.459 is a Class A misdemeanor. [1999 c.1045 §9]

455.990 [Formerly 456.885 (2); repealed by 1995 c.553 §16; 1995 c.675 §6]

Municipal Code

18.10.200 Penalties.

Any person or business entity which violates any term or provision of this title shall be subject to any or all of the following penalties:

(1) Penalty for First-Time Violation.

(a) In the case of a violation committed by someone who holds a contractor's license issued by the state of Oregon, or someone who is not so licensed but charges, or charged, a fee for the work in question, a civil penalty of \$1,000 per violation shall be assessed. If the violation is corrected within 10 working days of the issuance of the citation, the civil penalty shall be reduced to the greater of \$250.00, or double the applicable permit fee, up to a maximum of \$1,000.

(b) In the case of a violation committed by a property owner who causes work to be done by unpaid persons, or performs work on his/her own property and does not hold a contractor's license, or transfers property in violation of AMC [18.10.190](#), a civil penalty of \$500.00 per violation shall be assessed. If the violation has been corrected within 10 working days of the issuance of the citation, the civil penalty shall be reduced to the greater of \$125.00 or double the applicable permit fee, up to a maximum of \$500.00.

(c) In the case of a violation of Chapter [18.28](#) or [18.30](#) AMC or the Albany development code, a civil penalty of \$500.00 per violation shall be assessed. If the violation has been corrected within 10 working days of the issuance of the citation, the civil penalty shall be reduced to \$250.00 per violation.

(2) Repeat Violations.

(a) In the case of subsequent violations of this title by the same person, business, or corporation within 12 consecutive months, the civil penalty for each subsequent violation shall be doubled.

(b) The doubled penalty amount shall remain due even if correction is achieved within 10 working days.

(3) Violations Which Present an Imminent Life Safety Hazard.

(a) In those cases where the Building Official determines that the violation presents an imminent risk of serious physical injury or death to any person, civil penalties shall be doubled.

(b) The doubled penalty amount shall remain due even if correction is achieved within 10 working days.

(c) The Building Official's determination of imminent risk of serious injury or death to any person shall be subject to review by the Building Board of Appeals upon appeal and the doubled penalty shall not be due if the Building Board of Appeals concludes that the Building Official's assessment of hazard was in error.

(4) Application of Collected Cost Recovery and Penalties.

(a) When abatement of a violation is resolved without issuing a citation, all funds collected by the City pursuant to this section shall be paid to such accounts as the City may maintain for the support of the City Building Division.

(b) When abatement of a violation is achieved by issuing a citation, but there is not action on the violation in Municipal Court, 30 percent of the funds collected by the City pursuant to this section shall be paid to the court for overhead costs, and the remaining 70 percent shall be paid to Building Division accounts.

(c) When abatement of a violation is achieved by action in Municipal Court, all funds collected by the City pursuant to this section shall be paid to such accounts as the City may maintain for the support of the Municipal Court.

(5) The penalties provided herein are in addition to any other remedies available. The imposition of the penalties herein shall not preclude the Building Official from instituting appropriate action to restrain, correct, or abate a violation, or to prevent illegal occupancy of a building, structure, or premises, or to stop an illegal act, conduct, business, or utilization of the building, structure, or premises.

(6) Every day, or portion thereof, during which any violation of any provision of this title is committed, continued or permitted, may be a separate offense. (Ord. 5647 § 1 (Exh. A), 2006).



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

[Handwritten signature] 10/8

FROM: Seth Sherry, Economic Development Manager

DATE: October 6, 2020, for the October 12, 2020, City Council Work Session

SUBJECT: Business Registration

Relates to Strategic Plan theme: A Healthy Economy, A Safe City, Effective Government.

Action Requested:

Provide staff with guidance on whether to pursue a business registration program within the City.

Discussion:

During the July 20, 2020, City Council work session, multiple councilors brought up a discussion on business registration in the city of Albany. Several questions were raised about the potential of implementing a registration and some of the benefits of doing so. Staff is ready to report on preliminary efforts to explore this idea.

A stronger and more efficient connection between businesses and local government of the city in which they reside creates a foundation for a stronger, more resilient business community. A business registration program that does not implement any new regulations can only work to strengthen connections between businesses and business support partners, improve Fire and Life Safety efforts, and create a simple forum for businesses to connect with City agencies when needed. A list of benefits for the community are as follows:

- Avoidance of unnecessary expenses for new businesses. Prospective businesses would check in with the City for a comprehensive list of municipal requirements before planning their start-up costs.
- Clear path for business to Building and Planning divisions to discuss planned renovations, expansions, or new construction prior to investing.
- Seamless integration for business with current development review software.
- Improved ability to connect new and expanding business with economic development resources including technical assistance and funding.
- Improved ability to communicate financial resources available during emergency scenarios (e.g., COVID-19).
- Improved ability to share business development opportunities such as state sponsored outbound marketing and overseas market development missions.
- Improved internal understanding of business clusters to inform economic development policy and initiatives.
- Improved ability to serve minority and veteran-owned businesses and connect them to business specific resources.
- Improved ability for business to communicate development barriers directly with staff.
- Increased efficiency and efficacy for Fire and Life Safety inspections.

- Opportunities for the fire department to educate businesses on various fire protection systems the building may have along with their associated maintenance schedules, and signage beneficial to emergency response.
- Increased situational awareness for fire department response (building occupants, hazards, etc.).
- Awareness of property owner (responsible party) details in case of an emergency.
- Greater opportunities for proactive police outreach and crime prevention.
- Ability to send safety alerts.
- Compliance with Clean Water Act Regulations (which require interaction with new and existing businesses and industries as part of the City's implementation of the national Pretreatment Program, AMC Title 10 and AMC Title 12).
- Identification of transient businesses (e.g., food carts and mobile detail businesses) which become visible only after a problem arises.

Department directors recognize that a business registration has multiple citywide benefits. Staff has explored various registration platforms and received cost estimates for both licensing and implementation. Preliminarily, it appears that using our existing community development software (Accella) will be the most efficient and cost-effective option, minimizing acquisition and operating costs and limiting administrative burden.

Budget Impact:

Staff intends to use CARES Act funding to cover the cost of implementation. Ongoing licensing is nominal and would be covered by registration fees. Staff is still assessing other potential for direct or indirect costs.

SS:sd



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

PT 10/8

FROM: Holly Roten, Central Administrative Officer/PIO

DATE: October 6, 2020, for the October 12, 2020, City Council Work Session

SUBJECT: Updated Policy for Performance of Duties by Citizen Advisory Group Members
Relates to Strategic Plan theme: Effective Government

Action Requested:

Discussion and direction regarding a proposed policy update related to performance of duties, including meeting attendance, by Albany's citizen advisory group members.

Discussion:

The current policy addressing absenteeism by citizen advisory group members (Resolution No. 2310) provides that a member shall forfeit her/his term of office after failure to attend two consecutive meetings, unless the absences are excused by the presiding officer. The current policy does not define excused vs. unexcused absences; however, the City has an established precedent of marking an absence as excused any time the member provides advance notice, however minimal, to the chair or staff liaison. The current policy language has been a source of confusion and frustration for many years — for staff and advisory group members alike — and creates an avenue for abuse by members who fail to regularly attend meetings.

Staff proposes the attached policy update to address recurring issues with absenteeism by providing for an automatic forfeiture of a member's seat should they fail to attend three consecutive meetings or five meetings within a rolling 12-month period. Absences would no longer be designated as excused or unexcused. An agency comparison is attached for reference. The attendance requirement is similar to that of comparable jurisdictions.

The proposed policy also outlines an expectation that members will play an active role in the advisory group, be prepared for meetings by reviewing materials distributed in advance, and seek to be sufficiently informed on a subject to engage in meaningful and productive discussion at meetings. Should a member establish a pattern of being unprepared for meetings or unwilling to participate in discussion, the proposed policy allows for the staff liaison or a majority of the advisory group to make a recommendation for removal, via the City Manager's Office, to the appointing Council member for consideration. The appointing City Council member may then elect, if desired, to move forward with removal and refer the action to the City Council for acceptance.

Staff will review the attached draft policy with the Council at the October 12 work session and seek direction. Should Council direct staff to move forward, staff will bring this item back for adoption at a future Council meeting along with any changes requested by the Council.

Budget Impact:

None.

HR

Attachments 2

RESOLUTION NO. _____

~~TITLE: A RESOLUTION REGARDING THE NONPERFORMANCE OF DUTIES, INCLUDING NONATTENDANCE AT MEETINGS, BY BOARD CITIZEN ADVISORY GROUP MEMBERS AT MEETINGS AND REPEALING RESOLUTION NOS. 1324 AND 1526~~ NO. 2310

WHEREAS, it is intent of the Albany City Council when appointing persons to Albany's citizen advisory groups (boards, commissions, committees, and ad hoc groups) that each appointed individual will take an active role in the advisory group, working to advance the group's programs or activities and remaining engaged in fulfilling the group's goals and objectives; and

WHEREAS, an active and engaged advisory group is in the best interest of the Albany community and is of best use of City resources; and

WHEREAS, members' regular attendance to meetings is essential to an effective advisory group; and

WHEREAS, in addition to regular attendance, it is expected that members will take steps to adequately prepare for said meetings, including the review of materials distributed in advance of the meeting, and will seek to be sufficiently informed on a subject to engage in meaningful and productive discussion at the meeting;

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that any sitting member of a board, commission, or committee appointed by the Mayor with the approval of the Council who fails to attend ~~two~~ ~~three~~ consecutive meetings or five meetings within a rolling 12-month period of the board, commission, or committee, whether regular, adjourned, or special, shall forfeit her/his office. ~~unless it is an excused absence by the presiding officer.~~ In such instance, staff shall notify the member and present the forfeiture action to the City Council for acceptance, and the Mayor appointing City Council member for the position shall immediately secure the appointment of a successor using the applicable appointment parameters; and

BE IT FURTHER RESOLVED that no distinction is to be made between excused or unexcused absenteeism as it may be a source for misinterpretation. Board, commission, or committee members' absences will be entered into the recorded minutes for the applicable meeting; and

BE IT FURTHER RESOLVED that the Albany City Council shall have discretion to apply this resolution retroactively as it pertains to absenteeism; and

BE IT FURTHER RESOLVED that in the case of other forms of nonperformance of duty, e.g., a member who is routinely unprepared for discussion or unwilling to participate in meetings, a majority of the advisory group or the staff liaison may recommend the advisory group member's removal, via the City Manager's Office, to the appointing City Council member for consideration. Should the appointing City Council member elect to move forward with removal, the action shall be referred to the City Council for acceptance and the appointing City Council member shall secure the appointment of a successor using the applicable appointment procedures; and

BE IT FURTHER RESOLVED that the standards outlined for attendance and performance of duty shall apply to both standing and ad hoc advisory groups; and

BE IT FURTHER RESOLVED that ~~Resolution Nos. 1324 and 1526 are~~ Resolution No. 2310 is hereby repealed.

DATED AND EFFECTIVE THIS _____ DAY OF _____ 2020.

Mayor

ATTEST:

City Clerk

Agency Comparison

Attendance Policy for Citizen Advisory Group Members

Albany (RES 2310)	Members may be removed for failure to attend two consecutive meetings for which the absences are not excused. (Note: Albany does not define excused vs. unexcused absences.)
Lebanon (Advisory Group Manual)	"No distinction is to be made between excused and unexcused absenteeism, since it may be a source of misinterpretation. Any member who misses more than two consecutive, regular meetings, or three or more meetings in a year, may be removed by the Mayor or upon vote of a majority of the committee."
Corvallis (Municipal Code Section 1.16.070)	Municipal code states that a vacancy shall be deemed to exist upon failure to attend four consecutive meetings or participate in board or commission activities for 60 days without the consent of the chair of the board or commission.
Lake Oswego [Municipal Code Section 12.50.015(8)]	Municipal code prescribes that members may be removed for "Non-performance of duty," which includes unexcused absence from three or more consecutive meetings or unexcused absence from four or more meetings within a single calendar year. Board or commission recommends removal for consideration by the Council.
Eugene [Municipal Code Section 2.013(6)]	The Council may remove a member from a board, commission, or committee and declare the position vacant if a member is absent without leave of the chair from three consecutive meetings of the board, commission, or committee of which he or she is a member.
Springfield (City Council Operating Policies and Procedures document)	A position shall be vacated by the Council when the appointee has two or more consecutive unexcused absences from the board, commission, or committee meetings in any twelve consecutive month period.
Grants Pass	No specific rule for absenteeism.
Salem	No attendance rule specific to board, commission, or committee members. <u>Rule for Councilors:</u> The office of a member of the Council becomes vacant with absence from the city for 30 days without the Council's consent or from all meetings of the Council within a 60-day period.
State of Oregon (Board Handbook; ref ORS 182.010)	A member who has two successive, unexcused absences "shall forfeit his or her office unless prevented from attending" for reasonable cause.