



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

June 15, 2020

7:30 p.m. CITY COUNCIL PUBLIC HEARING

Due to Governor Kate Brown's Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this meeting will be held remotely using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

Meeting of June 15, 2020; Her Honor Mayor Lucy Vinis Presiding

Councilors

Emily Semple, President
Mike Clark
Chris Pryor
Betty Taylor

Jennifer Yeh, Vice President
Greg Evans
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL PUBLIC HEARING

- 1. PUBLIC HEARING: An Ordinance Concerning Shared Micromobility Devices, Amending Section 3.005 of the Eugene Code, 1971; Adding Sections 3.570, 3.572 AND 3.574 to That Code; and Authorizing a Pilot Program.**
- 2. PUBLIC HEARING: An Ordinance Concerning the Use of Micromobility Devices and Amending Sections 5.010 and 5.160 of the Eugene Code, 1971.**
- 3. PUBLIC HEARING: An Ordinance Reducing the Speed Limit to 20 Miles Per Hour on Local Streets in Residential Areas.**
- 4. PUBLIC HEARING: An Ordinance Concerning State Traffic Laws; Amending Section 5.005 of the Eugene Code, 1971; and Providing an Immediate Effective Date**
- 5. PUBLIC HEARING: An Ordinance Concerning Short-Term Rental Business Licenses; Amending Section 3.005 of the Eugene Code, 1971; and Adding Section 3.350 to that Code**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: Ordinance Requiring Licensing for Shared Micromobility Services

Meeting Date: June 15, 2020
Department: Public Works Engineering
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Rob Inerfeld
Contact Telephone Number: 541-682-5343

ISSUE STATEMENT

This public hearing is an opportunity for the Eugene City Council to hear testimony about a proposed ordinance to update the city code to (1) require that entities that wish to offer shared micromobility devices for public use in Eugene get a license from the city, (2) to authorize the city manager to issue such licenses, and (3) to authorize the city manager to adopt administrative rules and fees pursuant to such a program.

BACKGROUND

While the City Council has set aggressive targets for reducing greenhouse gas emissions from motor vehicles and tripling the percentage of trips made by walking, biking and public transportation, available data indicates that as a community, we have not made significant progress toward achieving these goals. It has been demonstrated in other communities that a significant percentage of shared electric scooter rides are replacing trips previously made by motor vehicle. An electric scooter pilot program presents an opportunity to bring this new form of shared mobility to Eugene to help achieve our goals around active transportation and climate recovery in a way that is also safe and equitable for our community.

“Micromobility device” is a fairly new term that is used to describe small human and electric-powered transportation devices and includes bicycles, e-bikes, scooters, e-scooters, skateboards, and e- skateboards. These devices are both privately owned and provided through shared services such as PeaceHealth Rides for bicycles in Eugene and numerous companies that provide shared e-scooter services in cities throughout the world. These companies include Bird, Lime, JUMP, Skip, Scoot and Razor.

Staff propose to introduce shared e-scooters into our community through a pilot program where one or a few companies would be selected, through a request for proposals, to be licensed to provide shared e-scooter services in Eugene for a set amount of time. During the pilot program, data would be collected and evaluated, and a final report would be issued at the end of the pilot to help inform the decision of whether to move forward with shared e-scooter implementation. This approach has been used in Portland and other cities.

At its February 26, 2020, work session on E-Scooters and Micromobility, City Council provided direction to bring back for Council consideration an ordinance amending the city code to allow the administrative establishment of a pilot program for licensing e-scooter share services in Eugene. Although the proposal discussed with the City Council on February 26th pertained only to e-scooters, staff have proposed adopting code language that would pertain to all “micromobility devices,” not just to e-scooters. It provides for the following:

1. Requires that entities other than the City that wish to offer shared micromobility devices for public use in Eugene get a license from the City;
2. Authorizes the City Manager to issue such licenses;
3. Authorizes the City Manager to adopt administrative rules and impose fees to carry out the licensing of shared micromobility devices; and
4. Provides an appeal process relevant to this new section of the code.

The proposed ordinance also authorizes the City Manager to establish a pilot program by issuing no more than three shared micromobility device licensees during the first year of the shared electric vehicle licensure program, after which time additional licenses may be granted.

On May 27, 2020, staff provided Council with an update on the status of the City’s bike share system, PeaceHealth Rides. The City’s contracted bike share operator, Uber/Social Bikes, notified the City that after June 1, 2020, it would no longer operate PeaceHealth Rides under its contract with the City. Since our update, Uber/Social Bikes has agreed to a brief extension of its service to June 30. In the meantime, staff is working on arranging another entity to operate the City’s PeaceHealth Rides system beginning in late June. Staff is currently focusing on stabilization of our bike share system; this may result in a delay to the scheduled implementation of a shared e-scooter pilot program.

PREVIOUS COUNCIL DIRECTION

On [February 26, 2020](#), the City Council held a work session on E-Scooters and Micromobility. City Council provided direction to bring back for Council consideration an ordinance amending the city code to allow the administrative establishment of a pilot program for licensing e-scooter share services in Eugene.

ATTACHMENTS

- A. An Ordinance Concerning Shared Micromobility Devices, Amending Section 3.005 of the Eugene Code, 1971; Adding Sections 3.570, 3.572 AND 3.574 to That Code; and Authorizing a Pilot Program.

FOR MORE INFORMATION

Staff Contact: Rob Inerfeld
Telephone: 541-556-6124
Staff E-Mail: rinerfeld@eugene-or.gov

ORDINANCE NO. _____

AN ORDINANCE CONCERNING SHARED MICROMOBILITY DEVICES, AMENDING SECTION 3.005 OF THE EUGENE CODE, 1971, ADDING SECTIONS 3.570, 3.572 AND 3.574 TO THAT CODE; AND AUTHORIZING A PILOT PROGRAM.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.005 of the Eugene Code, 1971, is amended by adding the following definitions to the “Licensed Businesses” section:

3.005 For the purposes of this chapter, the following words and phrases shall mean:

Licensed Businesses

Shared Micromobility Devices:

Applicant. An entity that applies for a shared micromobility device license.

Person or business. Other than the City of Eugene, a public or private corporation, public agency, individual, partnership, association, trust, firm, estate or other private legal entity.

Shared micromobility device. A lightweight vehicle that:

- (a) Is no more than 3 feet wide;
- (b) Can be propelled by electric propulsion, human propulsion, or both;
- (c) If being propelled by electricity, is capable of traveling at no more than 20 miles per hour; and
- (d) Is made available for rent or public shared use in the public right-of-way.

Section 2. The following heading and Sections 3.570, 3.572 and 3.574 are added to the Eugene Code, 1971, to provide as follows:

Shared Micromobility Devices

3.570 Shared Micromobility Devices – License Required.

- (1) No person or business may offer, in exchange for compensation, shared micromobility devices within the corporate limits of the city without a valid license for such activity.
- (2) The city manager may issue a license to offer shared micromobility devices upon finding that the applicant has met all requirements of this code and any rules adopted under this chapter.

3.572 Shared Micromobility Devices – Rules and Fees. To implement the provisions of sections 3.570, 3.572 and 3.574, the city manager may adopt administrative rules

and impose fees pursuant to section 2.019 and 2.020 of this code. The rules and fees may address such things as:

- (1) The form and content of license applications;
- (2) Insurance, safety and operating requirements;
- (3) Company audits;
- (4) Location restrictions;
- (5) Number of permissible licensees and micromobility devices; and
- (6) Conditions under which licenses expire or may be extended, revoked or suspended.

3.574 **Shared Micromobility Devices – Appeals.** Unless a different procedure is specified in another section of this chapter, any person aggrieved by an administrative action taken pursuant to sections 3.570 or an administrative rule adopted pursuant to EC 3.572 of this code may appeal the action within the time and in the manner provided in section 2.021 of this code.

Section 3. The City Manager is hereby authorized to establish a pilot program by issuing no more than three shared micromobility device licensees during the first year of the shared electric vehicle licensure program, after which time additional licenses may be granted consistent with Chapter 3 of the Eugene Code, 1971, and the administrative rules and fees adopted pursuant thereto.

Section 4. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2020

Approved by the Mayor this

___ day of _____, 2020

City Recorder

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Allowing Electric Micromobility Devices on Shared Use Paths

Meeting Date: June 15, 2020
Department: Public Works Engineering
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Rob Inerfeld
Contact Telephone Number: 541-682-5343

ISSUE STATEMENT

This public hearing is an opportunity for the Eugene City Council to hear testimony about a proposed ordinance to allow electric micromobility devices on shared use paths in Eugene.

BACKGROUND

Over the last few years electric bicycles, electric scooters (e-scooters), electric skateboards and other electric micromobility devices have become popular ways for people to travel around Eugene. Electric bicycles are allowed on almost all of Eugene's shared use paths. (An adopted plan prohibits electric micromobility devices, including electric bicycles, in East Alton Baker Park). Other types of electric micromobility devices are prohibited on shared use paths.

Both electric and non-electric micromobility devices have the potential to reduce trips made by motor vehicle. Encouraging use of these devices in Eugene supports the City's Climate Action Goals and the Eugene 2035 Transportation system Plan (TSP) goal of tripling the percentage of trips made by active transportation. Allowing all electric micromobility devices on Eugene's shared use paths will make it more convenient for people to use micromobility devices to travel around Eugene and to avoid busy streets where there are more conflicts with motor vehicles.

At its February 26, 2020, work session on E-Scooters and Micromobility, City Council provided direction to bring back for Council consideration an ordinance amending the code to allow e-scooters and other electric micromobility devices (e.g. e-skateboards) on shared use paths outside of East Alton Baker Park. (To allow electric bikes, e-scooters and other electric micromobility devices to operate under electric power within East Alton Baker Park would require an update to the East Alton Baker Park Master Plan.)

The proposed ordinance would amend the code to define the term "micromobility device" and to allow micromobility devices on shared use paths outside of East Alton Baker Park. As proposed, a "micromobility device" is defined as a lightweight, human or electric-powered vehicle that is no more than 3-feet wide and that, when operating with electric propulsion, is capable of traveling at no more than 20 miles per hour, including but not limited to bicycles, electric bicycles, scooters, e-scooters, skateboards, e-skateboards.

June 15, 2020 Public Hearing – Item 2

In addition to this consideration of expanding how people can use our paths, the City plans to launch a path etiquette campaign to educate path users on how to safely interact on our path system; this is being done to address conflicts that already exist on our path system.

PREVIOUS COUNCIL DIRECTION

On [February 26, 2020](#), the City Council held a work session on E-Scooters and Micromobility. City Council provided direction to staff to bring back for Council consideration an ordinance amending the code to allow e-scooters and other electric micromobility devices (e.g. e-skateboards) on shared use paths (outside of East Alton Baker Park).

ATTACHMENTS

- A. An Ordinance Concerning the Use of Micromobility Devices and Amending Sections 5.010 and 5.160 of the Eugene Code, 1971.

FOR MORE INFORMATION

Staff Contact: Rob Inerfeld
Telephone: 541-556-6124
Staff E-Mail: rinerfeld@eugene-or.gov

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING THE USE OF MICROMOBILITY DEVICES
AND AMENDING SECTIONS 5.010 AND 5.160 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.010 of the Eugene Code, 1971, is amended by adding the definition of “Micromobility device” and revising the definition of “Motorized transportation device” to provide as follows:

5.010 **Definitions.** In addition to those definitions contained in ORS Chapters 801 to 825, and Chapter 153, the following words or phrases, except where the context clearly indicates a different meaning shall mean:

Micromobility device. *A lightweight, human or electric-powered vehicle that is no more than 3-feet wide and that, when operating with electric propulsion, is capable of traveling at no more than 20 miles per hour, including but not limited to bicycles, electric bicycles, scooters, e-scooters, skateboards, e-skateboards.*

Motorized transportation device. ~~[Except for an electric assisted bicycle, a]~~Any vehicle that is not propelled exclusively by human power **and that is not a micromobility device**, including but not limited to~~;~~ an electric ~~[personal assistive] mobility device~~~~;~~~~a~~ **that is more than three-feet wide and a gas-powered** moped, ~~[a] motor assisted scooter, [a] motor vehicle, [a] motorcycle, [a] or motorized skateboard, any similar vehicle that operates without human propulsion~~.

Section 2. Section 5.160 of the Eugene Code, 1971, is amended to provide as follows:

- 5.160** **Unlawful Use of Motorized Transportation Device or Micromobility Device.**
- (1) No motorized transportation device may be operated on any city owned off-street bicycle or pedestrian path or trail, unless exempt. A motorized transportation device is exempt from this provision if it is used as a mobility aid by a person with a mobility impairment, used by a person with express permission from the ~~[C]~~city, or used by a ~~[C]~~city employee or agent in the course of ~~[C]~~city business.
 - (2) No person shall operate a motorized transportation device in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.
 - (3) ~~[In addition to the prohibition in subsection (1) of this section, n]~~**No** person may operate ~~[an electric assisted bicycle]~~**a micromobility device** (when not being operated by human propulsion) on any city owned off-street bicycle or pedestrian path or trail located within the East Alton Baker Plan boundary.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

____ day of _____, 2020

Approved by the Mayor this

____ day of _____, 2020

City Recorder

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: Ordinance Lowering Speeds on Residential Streets

Meeting Date: June 15, 2020
Department: Public Works
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Chris Henry
Contact Telephone Number: 541-682-4959

ISSUE STATEMENT

This public hearing is an opportunity for the Eugene City Council to hear testimony about a proposed ordinance to lower the speed limit to 20 miles per hour on local streets in residential areas.

BACKGROUND

Senate Bill 558 passed in the 2019 legislative session allowing cities to designate speeds on non-arterial residential streets five miles per hour lower than the statutory speed limit. Effectively, this legislative change allows the City Council to adopt an ordinance to designate a speed limit of 20 miles per hour on residential non-arterial streets. Previously, only the City of Portland had authority through legislation to designate speed in this context. The passing of SB 558 extended authority to all cities.

The Eugene Vision Zero Action Plan, adopted by administrative order in 2019, identified: speed as a factor in crashes causing injuries or death; slowing vehicle speeds as a strategy to reduce harm to people in a crash; and taking actions to reduce speed limits on the Vision Zero High Crash Network as well as supporting legislation to allow local control to designate speed limits.

Speed is a significant determinant of outcomes in crashes. When speeds are lower, people are less likely to be injured or killed. As speed in a crash increases, the likelihood of serious injury or death is much greater. Research shows that in crashes at 20 miles per hour, there is a 10 percent likelihood of serious injury or death; at 30 miles per hour, the likelihood of serious injury or death increases to 40 percent; and at 40 miles per hour, the likelihood of serious injury or death increases to 70 percent.

Funding to implement a change designating 20 miles per hour speed limits on local residential streets has been identified. A strategy for implementation would include changing existing speed limit signs on local residential streets. The sign changes would include a community outreach campaign to remind neighbors that “20 IS PLENTY” or similar messaging as used in Portland, Oregon and other cities around the world. Designating lower speeds on residential collector streets would be considered on a case by case basis through evaluation of the street context and presented to Council at a future date as needed.

June 15, 2020 Public Hearing – Item 3

Efforts to reduce transportation related fatalities or serious injuries are consistent with a triple bottom line approach to decision-making in the community. Reducing harm to people supports a healthy community. Making streets safer for people who walk, use a mobility device, ride a bicycle or the bus makes those options more comfortable and attractive compared to driving a car and is consistent with climate recovery goals. Reducing crashes and the financial costs of harm to people or property also supports a healthy economy.

PREVIOUS COUNCIL DIRECTION

On [March 11, 2020](#), the Eugene City Council held a work session where they were briefed on options to adopt an ordinance to designate lower speed limits on residential streets.

On November 18, 2015, the Eugene City Council adopted Resolution 5143, “A resolution setting as official policy the Vision Zero goal that no loss of life or serious injury on our transportation system is acceptable.” <https://www.eugene-or.gov/DocumentCenter/View/27858>

Following this policy direction, staff provided active legislative support through letter submission and public hearing testimony (by then City Engineer Matt Rodrigues) to pass SB 558 allowing cities to designate lower speeds on residential streets. The concept for this bill was one of the top five priorities for the 2019 legislative session for the League of Oregon Cities – Transportation Policy Committee on which, City of Eugene Transportation Planning Manager Rob Inerfeld, serves and Councilor Evans was the chair.

ATTACHMENTS

A. Ordinance Reducing the Speed Limit to 20 Miles Per Hour on Local Streets in Residential Areas

FOR MORE INFORMATION

Staff Contact: Chris Henry, Traffic Operations Manager
Telephone: 541-682-4959
Staff E-Mail: CHenry@eugene-or.gov

ORDINANCE NO. _____**AN ORDINANCE REDUCING THE SPEED LIMIT TO 20 MILES PER HOUR ON LOCAL STREETS IN RESIDENTIAL AREAS.****The City Council of the City of Eugene finds as follows:**

A. Through its passage of Resolution No. 5143 on November 18, 2015, the City Council set as official City policy Vision Zero's goal of zero fatalities or serious injuries on our transportation system and directed the City Manager to initiate the formation of a Vision Zero Task Force.

B. On March 29, 2019, the City Manager issued Administrative Order No. 58-19-04 adopting Eugene's Vision Zero Action Plan as a guide for action to reach the goal of zero deaths and life-changing injuries on Eugene's transportation system by 2035. The Vision Zero Action Plan includes the following Actions:

SD-9: Work with ODOT to lower speed limits on the Vision Zero High Crash Network, accompany speed limit changes with street design changes and enforcement, when possible.

SD-10: Support legislation to allow local City control to designate speed limits.

C. Eugene 2035 Transportation System Plan, adopted by City Council on June 26, 2017, includes the following Goal and System Wide Policy:

Goal 4: Address the transportation needs and safety of all travelers, including people of all ages, abilities, races, ethnicities, and incomes. Through transportation investments, respond to the needs of system users, be context sensitive, and distribute the benefits and impacts of transportation decisions fairly throughout the City.

System-Wide Policy 2: Consider safety first when making transportation decisions. Strive for zero transportation-related fatalities and severe injuries by reducing the number and severity of crashes through design, operations, maintenance, education, and enforcement. In furtherance of the City Council's adopted Vision Zero goal (Resolution No. 5143), prioritize safety improvements for people who walk, bike and use mobility devices because no loss of life or serious injury on our streets is acceptable.

D. Research shows that a person struck by a driver at 25 miles per hour ("MPH") is nearly twice as likely to result in death than a crash at 20 MPH (AAA Foundation for Traffic Safety, Impact Speed and a Pedestrian's Risk of Severe Injury or Death, 2011).

E. The 2019 Oregon Legislature passed SB 558, amending ORS 810.180 to authorize cities to designate by ordinance a speed that is five MPH lower than statutory speed on non-arterial streets in "residence districts" under their jurisdiction.

F. Section 5.005 of the Eugene Code adopts the provisions of ORS Chapters 801 and 810 and establishes that violations thereof shall constitute an offense against the City.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Consistent with ORS 810.180, the City of Eugene establishes a designated speed of 20 MPH, five MPH lower than the statutory speed of 25 MPH, on local streets (i.e. not collector streets or arterial streets) in “residence districts” as defined by ORS 801.430 and 810.180(12), per EC 5.005.

Section 2. Per ORS 810.180, the designated speed established by this Ordinance shall take effect on a segment of a local street upon the City’s removal of any 25 MPH signs and installation of 20 MPH signs on that street segment. The City Manager is directed to begin causing such sign replacement to take place no sooner than the effective date of this Ordinance.

Passed by the City Council this

_____ day of _____, 2020.

City Recorder

Approved by the Mayor this

_____ day of _____, 2020.

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Concerning State Traffic Laws; Amending Section 5.005 of the Eugene Code, 1971; and Providing an Immediate Effective Date

Meeting Date: June 15, 2020
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Kathryn Brotherton
Contact Telephone Number: 541-682-8447

ISSUE STATEMENT

The purpose of this action is to amend Section 5.005 of the Eugene Code, 1971 (EC) by re-adopting the state's statutory traffic code provisions. This proposed amendment updates the Eugene Code to include changes made during the 2018 and 2019 sessions by the Oregon State Legislature. Because EC 5.005 has not been updated since 2017, the ordinance provides for an immediate effective date. Action on the ordinance is scheduled for June 22, 2020, and, with the affirmative vote of two-thirds of the Council, the ordinance would take effect immediately.

BACKGROUND

Historically, each biennium, the City Council updates the Eugene Code to ensure that the Code provisions are consistent with state legislative changes to the Oregon Vehicle Code. EC 5.005 was last updated on October 24, 2017. Since that time, the Legislative Assembly has made changes to the Oregon Vehicle Code, necessitating an amendment to EC 5.005 in order to maintain consistency between state statutes and the Eugene Code.

PREVIOUS COUNCIL ACTION

[October 23, 2017, Public Hearing and Action](#)

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to adopt Council Bill 5179, an ordinance concerning State Traffic Laws, amending Section 5.005 of the Eugene Code, 1971, and providing an effective date. PASSED: 8:0

ATTACHMENTS

- A. Proposed Ordinance

FOR MORE INFORMATION

Staff Contact: Kathryn Brotherton
Telephone: 541-682-8447
Staff E-Mail: Kathryn.brotherton@ci.eugene.or.us

June 15, 2020 Public Hearing – Item4

ORDINANCE NO. _____

AN ORDINANCE CONCERNING STATE TRAFFIC LAWS; AMENDING SECTION 5.005 OF THE EUGENE CODE, 1971; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.005 of the Eugene Code, 1971, is amended to provide:

5.005 State Traffic Laws. The provisions of ORS Chapters 801, 802, 803, 805, 806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819, 820, 821, 822, 823, 825 and OAR 740.100.0010 issued thereunder, and Chapter 153, except for ORS 153.019, ORS 153.020, and ORS 153.021, are hereby adopted, and violations thereof shall constitute an offense against the city.

Section 2. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 3. As a result of certain Bills that passed during the 2018 and 2019 Legislative Sessions, many of which have already become effective, it is necessary to amend the City Code provision relating to State Traffic Laws immediately. Therefore, pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto.

Passed by the City Council this

_____ day of June, 2020

City Recorder

Approved by the Mayor this

_____ day of June, 2020

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Concerning Short-Term Rental Business Licenses; Amending Section 3.005 of the Eugene Code, 1971; and Adding Section 3.350 to that Code

Meeting Date: June 15, 2020
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Lydia Kaye
Contact Telephone Number: 541-682-5482

ISSUE STATEMENT

The City Council is scheduled to have a public hearing regarding an ordinance to amend City code for short-term rentals (STRs). The ordinance would require all STRs to obtain a business license and includes the requirement to provide information regarding whether the STR is owner-occupied and a local contact number. Also required is quarterly provision of information regarding rental dates, the number of nights stayed by each rental party, and the number of occupants per stay.

BACKGROUND

City Council first discussed short term rentals on September 23, 2019. Staff provided information on how they are regulated in several other cities in Oregon. While Council directed staff to craft an ordinance incorporating several regulations for short-term rentals for a December 11, 2019, meeting, Council had heard from several STR owners/operators that there hadn't been a public process prior to drafting the preliminary ordinance. At the December 11, 2019, meeting, the Council directed staff to slow the process and create an ad hoc committee to provide feedback to city staff about implementation of City policy regarding the regulation of short-term rentals in Eugene.

The ad hoc committee met three times and staff conducted an open house and created a survey to receive additional feedback on short-term rentals. Staff returned to Council on May 20, 2020, to share information from these venues and report on the ad hoc committee process. Council had a robust discussion on various options from not regulating short-term rentals at all to having a robust regulatory program as other cities have adopted. Council also discussed, as had been raised in testimony, the lack of local data on local STRs. While some councilors felt there were clear issues with STRs already raised, others were interested in collecting data specific to local STRs before crafting regulations. Creating a licensing program allows the City to collect data on the location of STRs, how long they are rented and by how many people. This data can then be correlated with the City's code compliance data to determine what issues are specific to short-term rentals. Council acknowledged that the current COVID crisis has had significant impacts on short-term rentals, and the licensing program would be necessary for a significant period to obtain accurate information for the purpose of data collection and interpretation.

June 15, 2020 Public Hearing – Item 5

PREVIOUS COUNCIL DIRECTION

September 23, 2019, Work Session

Council directed the City Manager to draft an Ordinance regulating short-term rentals through the Business License Program.

December 11, 2019, Work Session

Council directed City Manager to create an ad-hoc committee to advise staff regarding proposed City policy on regulating short-term rentals.

May 20, 2020, Work Session

Council directed the City Manager to prepare an ordinance requiring short-term rentals to obtain a business license.

COUNCIL OPTIONS

No action is required at this time. Options will be provided at the time of City Council action which is scheduled for July 13, 2020.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Following the public hearing and receipt of any testimony, the City Manager will make a recommendation to be included in the Council's materials for its July 13, 2020 meeting.

ATTACHMENTS

- A. An Ordinance Concerning Short-Term Rental Business Licenses; Amending Section 3.005 of the Eugene Code, 1971; and Adding Section 3.350 to that Code.

FOR MORE INFORMATION

Staff Contact: Lydia Kaye
Telephone: 541-682-5482
Staff E-Mail: lkaye@eugene-or.gov

ORDINANCE NO. _____

AN ORDINANCE CONCERNING SHORT-TERM RENTAL BUSINESS LICENSES; AMENDING SECTION 3.005 OF THE EUGENE CODE, 1971; AND ADDING SECTION 3.350 TO THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.005 of the Eugene Code, 1971, is amended to add the following set of Definitions between the definitions for “Public Passenger Vehicles” and the definitions for “Solid Waste, Yard Debris and Recycling”:

Short-Term Rentals:

Guest. A person or group of people renting a short-term rental.

Owner. Any person who, alone or with others, has an ownership interest in a short-term rental or the tax lot on which the short-term rental is located. A person whose interest in a proposed short-term rental is solely that of a tenant, subtenant, lessee, or sublessee shall not be considered an owner.

Short-term rental. A dwelling unit, or portion of a dwelling unit, offered for overnight occupancy in exchange for a fee and that is available for rent for fewer than 30 consecutive days. For purposes of EC 8.410, “short-term rental” has the same meaning as “vacation dwelling.”

Transient lodging intermediary. A person or business, other than the owner of the short-term rental, that facilitates a short-term rental and either:

- (1) Charges for occupancy of the short-term rental;
- (2) Collects the consideration charged for the occupancy of the short-term rental; or
- (3) Receives a fee or commission and requires the owner of the short-term rental to use a specified third-party entity to collect the consideration charged for occupancy of the short-term rental.

Section 2. The following heading and Section 3.350 of the Eugene Code, 1971, are added to provide as follows:

Short-Term Rental

3.350 Short-Term Rental.

- (1) Short-term Rental Licensure and Registration Requirements. No person or business may own a short-term rental in the City of Eugene without a short-term rental license. The following requirements apply to the issuance and retention of a short-term rental license.
 - (a) A license applicant must provide all the required application information, including but not limited to a local contact name and phone number and whether the short-term rental is owner-occupied. The provided information must be kept up to date throughout the term of the license.
 - (a) At all times, for each short-term rental, the licensee shall maintain a current, accurate record in the form of a guest registry that includes the rental dates, number of nights stayed by each guest, and the number of guests per stay. The guest registry shall be submitted to the city quarterly and shall be maintained for a minimum of three years from the date of the short-term rental occupancy.
 - (c) A bed and breakfast use that has been approved through a conditional use permit pursuant to EC Chapter 9 is exempt from the requirements of this subsection.
- (2) Transit Room Tax. Transient room tax shall be collected and remitted to the city for each short-term rental, in coordination with transient lodging intermediary if utilized, as set forth in EC 3.770 through EC 3.804.
- (3) Revocation of Short-term License. In addition to the bases for revocation set forth in EC 3.050, a license for a short-term rental may be revoked if:
 - (a) The licensee fails to comply with EC 3.350(1) or (2); or
 - (b) Use of the short-term rental has generated three or more verified violations of this code, including but not limited to, EC 4.080 (Noise Disturbance) or EC 6.050 (Garbage and Debris).
 License revocation is in addition to, and not in lieu of, any other enforcement mechanism authorized by this code.
- (4) Fees. For the purposes of offsetting the costs to the city associated with implementation and enforcement of this Section, the city manager, using the process contained in section 2.020 of this code, shall set short-term rental annual licensing fees.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein,

or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

____ day of _____, 2020

Approved by the Mayor this

____ day of _____, 2020

City Recorder

Mayor