

LETTERS

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To the Editor:

Thank you for your thoughtful editorial in last week's *Nugget*, "An Acceptable Level of Mayhem?" (*The Nugget*, October 7, page 2). I agree wholeheartedly that there are commonsense steps we can take as a country to reduce gun violence significantly and that "we can balance rights with responsibilities, liberty with security."

You mentioned Switzerland as an example of a country with a high level of gun ownership and not much gun violence compared to the U.S. Switzerland is actually a good example for the argument for stricter gun laws. The U.S. has approximately 88 guns per 100 residents. Switzerland has approximately half of that with 45 guns per 100 residents (ranked 4th behind Serbia and Yemen). Keep in mind that the 45 guns per 100 Swiss residents includes the personal weapons of the militia and these weapons are highly regulated. Also, the ammunition for each weapon is not kept in the home but in a military armory, except for about 2,000 specialists who protect certain sensitive areas such as airports. Each member of the military is required to undergo annual mandatory training.

Interestingly, the majority of private citizen gun owners who are not in the militia (about 25 guns per 100 households) do not own guns for self-defense. In fact, getting a permit to own a gun for self-defense is extremely hard to obtain. You have to prove that your life is in immediate danger and no other defense possibilities exist.

Terry Weygandt

Bluesman Salgado headed to Sisters

Legendary bluesman Curtis Salgado will play The Belfry in Sisters on Saturday, October 17. Doors open at 7 p.m. show starts at 8 p.m. Tickets are available at bendticket.com for \$20 or at the door for \$25.

Salgado sings and plays with soulful authority, never giving less than 100 percent. He plays each and every show like it's the most important gig of his career. He recalls the time when his friend, the great chitlin' circuit singer Buddy Ace, put on the show of his life, singing his heart

out, making three costume changes, all while playing at a casual house party.

Salgado was floored.

"I was just there playing with my band, hanging out in cut-offs and a T-shirt, and there's Buddy treating the gig the same as if he was performing at the Apollo," he said.

From that moment on, Curtis vowed that every time he got on stage he would deliver his very best shot.

TUP ball is back in City's court

By Jim Cornelius
News Editor

A dustup over the application for a temporary-use permit (TUP) for proposed events on a vacant lot in Sisters is back in the City of Sisters' court. The Oregon Land Use Board of Appeals (LUBA) remanded the matter — in part — back to the Sisters City Council for more work.

Controversy over the matter arose when Celia Hung and/or Richard Esterman sought a temporary-use permit to host events on a vacant lot that Hung had leased on the corner of Cascade Avenue and Oak Street. The City ultimately granted the TUP, but with conditions that Hung and Esterman did not accept. They petitioned LUBA for a ruling on the matter, which was handed down earlier this month.

There were several points of contention and argument. LUBA sent the matter back to the City on the question of whether Esterman's TUP would qualify his events as "special events" under City definitions and whether event vendors should be eligible for transient merchant license (TML) fee waivers.

"If the City wishes to take the position that Special Event TML Fee Waiver does not apply to petitioners' vendors, simply because petitioners have now secured a TUP, it needs to (1) more clearly take that position in its decision, and (2) adopt interpretive findings to explain why the City Council believes TUPs do not

qualify as 'special-event permits'..." LUBA ruled.

"On remand the City Council must consider whether petitioner Esterman's business license as an 'event coordinator' qualifies as a 'special-event permit' so that the TML fee waiver ... applies to petitioners' vendors, and adopt findings to explain its position on that issue."

"That's a good question," Community Development Director Patrick Donovan said when queried about the effect of the LUBA ruling. "That's an interesting scenario there. I don't know how that's going to work now."

Richard Esterman told *The Nugget* that his position is that he should still be able to obtain the TUP he and Hung originally applied for, regardless code changes that may eliminate the TUP. After that TUP expires, he would then be under whatever new rules end up being adopted.

"I would think that they'd still have to uphold and do the TUP, since it went through the (LUBA) process," Esterman said. "That needs to be grandfathered in, otherwise this whole thing doesn't make sense."

There is another issue that is yet to be resolved. Hung paid \$15,600 in transient vendor fees assessed for Esterman's Sisters Artists Marketplace held on Quilt Show weekend in 2014. That event was not held under the TUP. She did this rather than add that charge to the fees already being charged for booth space.

The legal question of whether those fees were properly assessed or should have or could have been waived was set aside pending the LUBA decision.

“ I would think that they'd still have to uphold and do the TUP... —Richard Esterman ”

There was also a disagreement over when the time limits of a TUP should come into effect. LUBA partially sided with Esterman and Hung on the matter, noting that "The express language of (the development code) allows the authorized period of up to 180 days to begin and end any time within a 365-day period." However, that point was not regarded as a basis for a remand to the City.

The effect of the remand is not clear, since the City of Sisters is currently involved in an overhaul of its code for handling all kinds of events and transient business activity (*see related story, page 12*).

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