

Canyon Views

Special interests hack Oregon law



COMMENTARY
RICHARD REID

The alarming national trend of legislative interference with city governments has come to Oregon. The passage of Senate Bill 1573 in the last session is an example.

In this case over 700,000 Oregonians in 34 cities are denied voting rights earned by initiatives in those communities. To appease one of the most powerful lobbies in Oregon several legislators turned their backs on their constituents and our constitution and passed a bill giving the Legislature power to amend Oregon city charters at will.

The Oregon Homebuilders Association persuaded some legislators that denying certain annexation voting rights would "trickle down" money and grow more affordable housing across the state. Based on that false assumption backroom dealers in the Legislature pushed four bills for developers, one bill expunged voting on annexations from city charters. Decades of petition campaigns around the state were nullified when the Governor signed the bill into law last March.

No matter how anyone feels about voting on annexations most will agree when Legislatures slap cities into submission our cities become "one-size-fits-

all" governments.

Many believe SB 1573 is the match that torched our Oregon constitution which says, "The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town," Art XI Section 2. Oregon State Constitution.

When considering annexations cities can choose to either follow SB 1573 even though it snubs citizens and gives councils total control of community growth and what it costs the taxpayers. Or cities can ignore SB 1573, honor their charters and allow voting; a right confirmed by Oregon courts 30 years ago. (Heritage Enterprises v Corvallis (708 P.2d 601 (OR. 1985))).

Last summer the Jefferson city council leaped over its charter and used SB 1573 to adopt an annexation already twice rejected by voters. Jefferson citizens took exception and initiated a referendum asking voters if they wanted to vote on this annexation a third time.

Organizers easily gathered the necessary signatures but the city refused to accept the petition. The petition sponsor, "Jeffersonians for Jefferson," had no choice but to ask the court to force the city to obey all election laws. When the court agreed and ordered it the city appealed and the matter was heard by a District judge who admitted to having little experience with election law.

Nevertheless he ruled that the city

did not have to recognize the petition or put the annexation on the ballot.

In the meantime "Jeffersonians for Jefferson" helped organize and sponsor three candidates for council and one for mayor all of whom won their campaigns and will take office in January.

But the Philomath city council ignored SB 1573 and allowed citizens to vote although local activists are alarmed and disappointed by what they believe are deceptive local government practices. The citizens' group, "Grow Philomath Sensibly" believes the council and staff are ignoring city code requiring the city to provide an "impact analysis" of an annexation on the ballot. Had voters been given complete information they may have rejected the annexations.

Now taxpayers in both Jefferson and Philomath are legally required to provide services to hundreds of new acres annexed to their cities. But without voting, pragmatic community discussion of orderly growth is effectively limited to developer compliance with city codes. Many concerns about limits to carrying capacity and public money are often brushed aside.

Citizens who support pragmatic planning are insisting on community development that profits the entire community. Pragmatic discussion about growth starts with whether an annexation is necessary; how the costs of extending and maintaining services are shared be-

tween the developer and the taxpayers and how the costs will be financed.

That broader view has yet to arrive in Stayton. Even though many believe the city already controls an adequate land supply for development the Stayton council is determined to annex even more land. Stayton's budget is at maximum capacity; expenditures closely match revenue leaving no "wigggle room" to fund additional infrastructure annexations always require.

Any discussion of growth is a First Amendment right confirmed by Oregon's own Land Use Planning Goal 1, "citizen involvement." But that right is effectively silenced by SB 1573, the Legislature's latest rejection of our constitution.

In the 2017 session and all of them thereafter our legislature must turn away from special interests like the Oregon Homebuilders and abide by our constitution just as city councils must abide by our charters.

Our constitution says, "The legal voters of every city and town are hereby granted power to enact and amend their municipal charter," ART XI Sec 2. Oregon State Constitution.

Richard Reid is the co-chairman of Oregon Communities for a Voice in Annexations, OCVA.org. He can be reached at 541-747-3144 or richard@bluffhouse.org

Pets

County seeks to increase dog licensing



COMMENTARY
DEAN FREEZE

As 2017 rapidly is upon us, Marion County Dog Services is taking steps to increase dog licensing in Marion County. According to the American Veterinary Medical Association approximately 74,280 dogs live in Marion County yet only 32 percent of dog owners have a valid license for their dog.

Marion County Dog Services oper-

ates the local dog shelter located in Salem, which is responsible for enforcing Marion County dog licensing and dog control ordinances (ORS 609.100). For example, Oregon State law requires dogs with permanent canine teeth or are six months or older to be licensed. For dog owners who move to Marion County or become the keeper of a dog, a license is required within 30 days.

Dog licensing is an essential part of animal care in Marion County and for our health and safety. For example, licensing your dog helps prevent the dan-

gerous spread of rabies and is also an efficient way to return lost dogs back to their families. In addition, dog licensing fees help support the shelter by providing necessary medical care for lost and stray dogs as well as dog control officers (who respond to dog complaints), and community outreach programs that support responsible pet ownership.

Dog licensing in our community is not just our responsibility, it's the law.

Dog licenses are available at the Marion County Dog Shelter located at 3350 Aumsville Hwy SE, in Salem, Tuesday

through Saturday 8 a.m. to 5 p.m. and at many area veterinary clinics.

Please visit www.mcdogs.net for a complete list of participating clinics and other outlets. A one year dog license for a spayed/neutered dog is only \$17. Start the year off right and do your part to ensure the health and safety of our community by licensing your dog.

Dean Freeze is the Marion County Dog Shelter Manager. He can be reached at dfreeze@co.marion.or.us or at 503-566-6992. For information visit www.mcdogs.net or call 503-588-5233.

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votes unanimously to require businesses to buy a \$50 business license.

Mt. Angel City Council hires Salem's City Recorder Amber Mathiesen to serve as city manager.

November

Adrienne Blomgren transitioned into the role of general manager at the Silver Falls Lodge & Conference Center.

Matt Plummer leads the list of write-in candidates vying for a seat on the Sil-

verton City Council. Plummer was among a foursome of non-filed Silverton residents who stated that if written-in on the Nov. 8 election ballot, they would be willing to serve.

Marion County Sheriff's Deputy Tom Barber, who patrols Sublimity, surprises motorists pulled over for minor traffic violations by handing them a Willamette Valley Fruit Company pie instead of a ticket.

For the fifth year in a row, Seven Brides Brewing in Silverton opens its taproom for Thanksgiving dinner.

On opening night of Christmas in the Garden, visitors followed a festive display of 500,000 twinkling lights into the forest, zigzagging their way up the hill to a traditional German Christmas Market.

December

City of Silverton Tree Lighting ushers in the holiday spirit as folks can sip hot cocoa and listen to music while waiting for Santa to ride in on a Silverton Fire Department truck as the tree lights up at Town Square Park.

Silver Creek Coffee House proprietors Joshua and Elisha Nightingale announce plans for "Live Local Marketplace" next to their bistro, providing vendor options for higher-end items produced by folks in the general Silverton, Mt. Angel and Scotts Mills area.

Speaking on behalf of Silverton Zenith Woman's Club, Barbara Fischer-Chase thanks the community for the help the club received via its 2016 Tree of Giv-

ing project, which helped make Christmas a little brighter for 135 families -- 363 children -- in the Silver Falls School District.

Fr. Philip Waibel of Mt. Angel's St. Mary Catholic Church blesses MarKum Inn as new owner Mark Burnett of Scotts Mills and general manager Julio Valera of Silverton announce that the popular, rebuilt rural joint will reopen soon.

City of Silverton hires Christy Wurster as its city manager. She enters the job with seven years' experience as a city manager and another 13 in public works administration.

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