

Manzanita homeowner, city reach a settlement

Lawsuit alleged fines of \$1.8M were excessive

By Brenna Visser
Cannon Beach Gazette

MANZANITA — A property owner will no longer have to pay \$1.8 million in vacation rental fines after reaching a tentative settlement with Manzanita.

Sandra Petersen, a co-trustee of the Kingwood Trust, which owns the home that has been used as a rental, will only pay “a modest amount” of the city’s attorney fees, said Kevin O’Connell, an attorney for Petersen.

In exchange, Petersen will drop a federal lawsuit that alleged the city’s enforcement of its vacation rental ordinance was unconstitutional.

In the lawsuit filed in federal court in Portland in June, Petersen tried to block Manzanita from enforcing the citations, claiming the \$1.8 million penalty was a violation of



BRENNA VISSER/THE DAILY ASTORIAN

Sandra Peterson is suing Manzanita over \$1.8 million in fines incurred from allegedly renting her home without a license.

the Eighth Amendment, which protects against excessive fines.

“The goal was to not pay \$1.8 million,” O’Connell said. “We got the result we wanted. We’re very happy.”

The legal fight generated attention up and down the Oregon Coast, where many cities are struggling to regulate vacation rentals.

Manzanita City Manager Jerry Taylor declined to comment until the settlement is finalized and approved by both parties. The City Council will need to approve the agreement, he said.

Petersen, who lives in Washington state, said she was fined by the city for operating a vacation rental without a license and for not paying the

‘THE GOAL WAS TO NOT PAY \$1.8 MILLION. WE GOT THE RESULT WE WANTED. WE’RE VERY HAPPY.’

Kevin O’Connell,
an attorney for Sandra Petersen

lodging tax. But she claimed she was not notified of the citations until last October — nearly two years after the first alleged violation in January 2015.

Petersen believed she was not violating Manzanita’s vacation rental ordinance because she only allowed family, friends and current and former trustees to stay at her home on Edmund Lane, according to a court filing. The trust took guest donations of about \$50 to \$65 a night for upkeep, supplies and repairs, not for a profit.

“It was my belief that the use of the property by our extended family members did not constitute an event that generated either registration or a tax,” Petersen said in a

court filing.

But Manzanita warned Petersen as far back as 2009 that the home appeared to be a vacation rental.

“Your home must be registered as a short-term rental in order for you to legally accept money for the use of the house, even if you merely intend to use the money towards

taxes and maintenance on the house,” a letter from the city stated.

While not part of the settlement, O’Connell said he believes “it’s been made clear” to Petersen to not take donations. Petersen does not plan to apply for a vacation rental permit either, as the city has a waitlist. If the city becomes aware of any future issues, they must be brought back to federal court, where a judge will decide if the violation is deliberate.

“We don’t anticipate any future issues with the city on this,” O’Connell said. “(Petersen) doesn’t want any trouble. It’s not going to be used like it has been.”

Candidates share their viewpoints with senior, disability councils

By Zaira Flores Marin
For Cannon Beach Gazette

The Advisory Councils of NorthWest Senior and Disability Services hosted their biennial candidate interviews forum in August, providing an opportunity for candidates running for Oregon government positions to express their views about the state’s services for seniors and people with disabilities.

The taped interviews are available to view on YouTube prior to the Nov. 6 general election.

The interviews included Gov. Kate Brown, Independent gubernatorial candidate Patrick Starnes, Republican congressional candidate John Verbeek, and state House District 32 candidates Tiffany Mitchell (D) and Vineeta Lower (R), among many others.

All participating candidates were asked questions regarding budget cuts, senior nutrition programs, and support of crucial senior and disability programs such as Oregon Project Independence, as well as other topics. The interviews were taped, and the candidates’ comments and responses were not edited. The interviews of opposing candidates seeking the same office were grouped together for the broadcasts.

The project was coordinated by volunteers to offer community members an opportunity to learn the differences among candidates and the views and ideas each of them had to offer.

Advisory council member Steven Manesis, a Clatsop County resident and advocate in Salem for those with disabilities, interviewed Starnes.

“The event gives NWSDS and members of the community the opportunity to discover what prospective lawmakers at the state and federal level will do for se-



NWSDS

Republican House District 32 candidate Vineeta Lower, right, meets with advisory council members.

niors and people with disabilities,” Manesis said. “Advisory council volunteers also had the opportunity to share with candidates the needs of seniors and people with disabilities, before and after the interviews. It was a joyous occasion and a very well-organized event.”

NWSDS and its councils take a nonpartisan approach to ensure that the public can receive information necessary to make their own, best-informed decisions. The goal is to empower and educate older adults and people with disabilities, so they can get involved in the election process and have additional tools to aid them in electing the candidate of their choice.

To view the candidate interviews, go to bit.ly/NWSDS-interviews.

Zaira Flores Marin is bilingual council and volunteer coordinator for NorthWest Senior and Disability Services, an intergovernmental agency

that contracts with the state to serve seniors and people with disabilities. She can be reached at 503-304-3451 or zaira.flores@nwds.org.

LEARN BRIDGE

IN FOUR EASY LESSONS

SATURDAYS 2:00 - 4:00 PM
Starting Saturday October 13, 2018
(To be followed by ongoing Mini-Lessons and Supervised Play sessions)

American Contract Bridge League

Come play in the delightful Mary Blake Playhouse in the Seaside Library grounds; park at the Bob Chisholm Community Center, 1225 Ave A, Seaside

Call - Sue Kronging:
(503)738-7817 Cell: (503)739-0264
email: skronging@charter.net
to register (or just come along)

♠ GREAT GAME!
♥ MAKE FRIENDS
♦ HAVE FUN
♣ COST: \$20.
(REFUNDABLE)

THE COASTER THEATRE PLAYHOUSE PRESENTS

Deathtrap

Sept. 21-Oct. 27

Tickets \$20 or \$25
Shows begin at 7:30pm
Sunday shows at 3:00pm

Sponsored by
Leleand E.G. Larson

COASTER THEATRE PLAYHOUSE
108 N Hemlock St
Cannon Beach, OR

Tickets: 503-436-1242
coastertheatre.com

FALL IS SWEET!

Visit us for all your
Halloween Treats,
Caramel Apples
& Great
Decorations!

• 2 LOCATIONS •
(Easy & Convenient)

Downtown Cannon Beach
256 N. Hemlock St
&
Seaside Outlet Mall

WE CAN SHIP CANDY DIRECTLY TO YOU!

CB: 503-436-2641
Seaside: 503-738-7828
www.brucescandy.com

Find us on Facebook

BUSINESS DIRECTORY

FLOORING

COREtec
the Original
Luxury vinyl planks and tile.
you walk on our reputation

Carpet Corner
Flooring Installation

3470 Hwy 101 Suite 102 • Gearhart, Oregon
503.739.7577 • carpetcornergearhart.com

PAINTING

Licensed • Bonded • Insured
CCB# 89453

Randy Anderson
36 Years Experience

Anderson Painting

(503) 738-9989 • Cell (503) 440-2411 • Fax (503) 738-9337
PO Box 140 Seaside, Oregon 97138

www.andersonpainting.biz

“Custom Finishing”

CONSTRUCTION

BOB McEWAN CONSTRUCTION, INC.

EXCAVATION • UNDERGROUND UTILITIES
ROAD WORK • FILL MATERIAL
SITE PREPARATION • ROCK

OWNED AND OPERATED BY MIKE AND CELINE McEWAN

503-738-3569

34154 Hwy 26, Seaside, OR
P.O. Box 2845, Gearhart, OR

SERVING THE PACIFIC NORTHWEST SINCE 1956 • CC48302

LANDSCAPING

Laurelwood Compost • Mulch • Planting MacMix
Soil Amendments

YARD DEBRIS DROP-OFF
(no Scotch Broom)

503-717-1454

34154 HIGHWAY 26
SEASIDE, OR

Laurelwood Farm

CONSTRUCTION

COASTER construction, LLC

“Helping shape the character of Cannon Beach since 1973”

Residential • Commercial • Remodeling
New Construction • Storm Damage Repair
Full Service Custom Cabinet Shop

503.436.2235

www.coasterconstruction.com • CCB# 150126

STORAGE

STORAGE AVAILABLE

CANNON BEACH BUSINESS PARK

10’ x 10’ Heated

Contact Holly at 503-436-2235

LAWN CARE

Free Estimates • Storm Clean-Up

JIM’S LAWN CARE

503-325-2445

LAWNS • SHRUBS • GUTTER CLEANING
BARK • BRUSH CLEARING & REMOVAL
WEEDING • HAULING • MONTHLY RATES