

**CITY COUNCIL
STUDY SESSION AGENDA**



MEDFORD
CITY COUNCIL

March 12, 2020

6:00 P.M.

Medford Room, City Hall

411 W. 8th Street, Medford, Oregon

1. HUD 2020-24 Consolidated Plan
2. Outdoor Hemp Production Zoning
3. 2019 Oregon Fire Code



MEMORANDUM

To: Mayor and Council
From: Angela Durant, Principal Planner
Study Session Date: March 12, 2020
Subject: City of Medford 2020-2024 Consolidated Plan

COUNCIL DIRECTION

Staff is seeking direction from Mayor and Council on the approach for completion of the 2020-2024 Consolidated Plan and to explore key goals and strategies that Mayor and Council would like to see in the Consolidated Plan.

PRESENTATION OUTLINE

- Presentation overview and recommendations - Angela Durant and Beth Goodman, Senior Policy Advisor and Project Director with ECONorthwest
- Direction and discussion - Mayor and Council

PREVIOUS STUDY SESSIONS AND G-3 MEETINGS ON THE TOPIC

On January 22, 2015, Council held a study session with JQUAD Planning Group to workshop the creation of the 2015-2019 Consolidated Plan.

BACKGROUND

The City of Medford is an entitlement jurisdiction for Community Development Block Grant (CDBG) funds provided by the U.S. Department of Housing and Urban Development (HUD). The five-year consolidated plan is a comprehensive planning document for CDBG that identifies the City's critical needs for housing and community development and outlines a strategy to address those needs. The consolidated planning process is mandated by HUD and the consolidated plan is adopted by Council. The primary purpose of the consolidated plan is to provide the framework for annual decisions on the use of CDBG funds. As part of the funding strategies adopted by Council on November 21, 2019, the 2020-2024 Consolidated Plan will also provide a framework for annual decisions on the use of Housing Opportunity Funds (HOF); and potential General Fund Grant (GFG) dollars and remaining program income

funds from the Neighborhood Stabilization Program (NSP), if directed by Council. The City's estimated five-year available resources are as follows:

Funding Source	Five-Year Estimated Funding	Five-Year Estimated Program Income	Total Estimated Resources
CDBG (<i>assuming a \$735K average annual allocation</i>)	\$3,675,000	\$500,000	\$4,175,000
HOF (<i>assuming \$300K average annual CET revenue</i>)	1,500,000	N/A	1,500,000
GFG (<i>assuming \$300K "competitive" per biennium</i>)	750,000	N/A	750,000
NSP (<i>assuming program income balance</i>)		90,000	
	\$5,925,000	\$590,000	\$6,515,000

The City contracted with ECONorthwest and Rogue Valley Council of Governments to update the 2015-2019 Consolidated Plan using a methodology including past and current public involvement, new data and maps, and recent planning and policy research completed by the City and its valuable partners. This approach will capitalize on the extensive level of community engagement, collaboration and planning that has taken place over the past 12-18 months. City staff and ECONorthwest are proposing that the City not reinvent the wheel during the consolidated planning process, but rather integrate work already completed by community partners to develop a plan that provides a framework for Council's funding decisions and helps align funding strategies across the region to create greater impact. In addition, capitalizing on the significant level of public involvement to complete plans that share research, goals and strategies will reduce unnecessary burden on stakeholders that are already spread thin.

Obtaining Mayor and Council direction will streamline the completion of the 2020-2024 Consolidated Plan for consideration by the Housing Advisory Commission and Community Development Grants Commission on March 18, 2020. A 30-day public comment period will begin on April 7 in preparation for a presentation and public hearing before Council on May 7, and submission to HUD on May 15, 2020.



MEMORANDUM

To: Mayor and City Council *for March 12, 2020 study session*
From: Carla Angeli Paladino, Principal Planner
Date: March 5, 2020
Subject: Outdoor Hemp Production & Other Regulatory Updates

DIRECTION SOUGHT

Staff is interested in discussing the topic of outdoor hemp production and other regulatory updates needed in order to address the hemp industry. Staff suggests updating the Land Development Code (Chapter 10) in order to limit hemp production to indoor grows in the industrial zones and provide for similar zoning allowances for hemp that exist for marijuana related businesses in commercial zones. Is Council interested in staff pursuing code changes related to hemp- related activities?

PRESENTATION OUTLINE

- Presentation overview and information – Carla Angeli Paladino
- Discussion and Direction – Mayor and City Council

BACKGROUND

Between 2015 and 2018, the City of Medford adopted four ordinances related to the topic of marijuana. The ordinances addressed topics such as retail sales, outdoor production in residential zones, and production of marijuana and marijuana products. Just as the City's laws came in line with the needs of the marijuana industry, the hemp industry has grown rapidly and has in many instances replaced marijuana. Hemp is an agricultural crop with its own set of rules and regulations administered through the Oregon Department of Agriculture. Grow sites for hemp production are seen around the perimeter of the Medford community and across the county.

Hemp is regulated as an agricultural crop in Chapter 10 of the Municipal Code. Currently, hemp is categorized under *Field Crops, Except Cash Grains* and is permitted to be grown outdoors in all three of the City's Industrial zoning districts. There are concerns with this allowance in the industrial zoning district and potential unintended consequences of this

crop being regulated differently than marijuana regarding odor, security, lighting, and the like. In addition, the word hemp is not defined in the code nor are there specific regulations outlined regarding the use of this crop. The lack of provisions has caused issues for staff trying to regulate this use and assisting the public with code enforcement complaints or customers seeking approvals for Land Use Compatibility Statement (LUCS) forms for specified hemp uses in order to register with the State.

Staff proposes to regulate the production or growing of hemp in the same way marijuana is regulated. The production, processing and wholesaling of marijuana is permitted in the three industrial zoning districts and the heavy commercial zoning district when conducted indoors and in compliance with special regulations. Chapter 10 also outlines which zoning districts permit laboratory uses of marijuana. Staff suggests including a similar use table in the code for hemp excluding uses such as dispensary and retail that are specific to marijuana related uses only.

POTENTIAL LANGUAGE

Staff suggests adding definitions to Section 10.012. The outlined terms and definitions are taken directly from the Oregon Revised Statutes and can be modified as necessary. The underlined text below is also suggested code language shown for discussion purposes only. Additional research and discussions with Legal staff are needed prior to drafting formal text changes.

Section 10.012 Definitions, Specific.

Agricultural Hemp Seed. Cannabis seed that is sold to or intended to be sold to registered growers for planting; or that remains in an unprocessed or partially processed condition that is capable of germination.

Industrial Hemp. Except as provided in this paragraph, means all nonseed parts and varieties of the Cannabis plant, whether growing or not, that contain an average tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry weight basis. The State Department of Agriculture, by rule may adopt any higher average tetrahydrocannabinol concentration limit established in federal law. It also means any Cannabis seed.

Section 10.337 Uses Permitted in Commercial and Industrial Zoning Districts

			C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
<u>006</u>	<u>Industrial Hemp-</u> <u>related business</u>									
<u>0061</u>	<u>Production</u>	<u>013, 016</u>	X	X	X	X	Ps	Ps	Ps	Ps
<u>0062</u>	<u>Processing</u>	<u>205-207</u>	X	X	X	X	Ps	Ps	Ps	Ps
<u>0063</u>	<u>Wholesale</u>	<u>512,</u> <u>516, 519</u>	X	X	X	X	Ps	Ps	Ps	Ps
<u>0064</u>	<u>Laboratory</u>	<u>873</u>	Ps	X	Ps	Ps	Ps	Ps	X	X

"Ps" = Special Use (see Special Use Regulations).

"X" = Uses specifically prohibited.

See section 10.839 for special use regulations on marijuana-related and industrial hemp-related businesses.

Section 10.839

10.839 Marijuana-Related and Industrial Hemp-Related Businesses.

A. General Provisions. The following provisions apply to any marijuana-related or industrial hemp-related business.

(1) All marijuana-related or industrial-hemp-related businesses will conduct operations inside secure, enclosed structures. No production, processing, storage, or sales may be conducted out of doors.

(2) No marijuana-related or industrial-hemp-related business shall cause or allow an offensive odor of marijuana/industrial hemp items to emanate from a structure or property.

(3) No marijuana-related or industrial hemp-related business shall permit trespass or glare from security or other lighting beyond its property line. In addition, lighting must be “full cutoff” according to Illuminating Engineering Society of North America (IES) definitions and standards.

(4) The hazardous fence and wall provisions in Section 9.560 apply.

(5) Marijuana items may not be displayed in a manner that is externally visible to the public.

(6) All marijuana-related or industrial hemp-related businesses shall be licensed by the state, and comply with all applicable state laws and regulations.

B. Processing

(1) Processors using high-heat extraction methods are allowed only in the I-G and I-H zoning districts.

C. Conflict of Laws

(1) When this section imposes a greater restriction upon a marijuana-related or industrial hemp-related business than that imposed by a state law or regulation, the greater restriction shall control.

D. ~~Ban on Sale of Limited Marijuana Retail Product~~

~~(1) Pursuant to section 3 of Senate Bill 460 (2015), the City of Medford hereby prohibits the sale of limited marijuana retail product in any area subject to the jurisdiction of the City of Medford as described in section 2 of Senate Bill 460 (2015).~~

~~(2) The ban imposed by this section will be effective until December 31, 2016, or until the Legislature ends sales of limited marijuana retail product by medical marijuana dispensaries, whichever comes later.~~

~~(3) If a medical marijuana dispensary violates the ban on the sale of limited retail marijuana product, the City of Medford may enforce the ban as follows: i) impose a violation penalty upon the medical marijuana dispensary pursuant to the Medford Code; ii) initiate a business license revocation proceeding against the medical marijuana dispensary pursuant to Chapter 8 of the Medford Code; iii) seek declaratory, provisional and permanent injunctive relief in the Jackson County Circuit Court as provided by the Medford Code and Oregon law; and iv) seek any other relief available as provided by either the Medford Code or Oregon law.~~

[Repealed, Sec. 4, Ord. No. 2001-166, Sept. 6, 2001; Replaced, Sec. 3, Ord. No. 2015-104, October 15, 2015.]

COUNCIL DIRECTION

Is the Council interested in staff pursuing code changes related to hemp-related activities?

NEXT STEPS

- Set up a project file
- Research and draft code; discuss changes with Legal and other departments
- Establish study session and hearing schedule for targeted completion in late summer



MEMORANDUM

To: Mayor and Council
From: Greg Kleinberg/Deputy Chief-Fire Marshal
Study Session Date: March 12, 2020

Subject: Adoption of 2019 Oregon Fire Code and Proposed Medford Code Amendments

COUNCIL DIRECTION

Staff is providing information to the Mayor and Council about the adoption of the 2019 Oregon Fire Code and related Medford Code amendments. Staff is seeking direction as to what action shall be taken. Included in this is a request to amend our Permit and Services Fee Schedule.

PRESENTATION OUTLINE

- Presenter: Greg Kleinberg - Deputy Chief/Fire Marshal

PREVIOUS STUDY SESSIONS AND G-3 MEETINGS ON THE TOPIC

- None

BACKGROUND

- Medford currently enforces the 2014 Oregon Fire Code by adoption through the Medford Code. The State of Oregon has adopted the 2019 Oregon Fire Code, effective November 15, 2019 (Enforced January 1, 2020). Our request is to formally adopt the 2019 Oregon Fire Code, including the amendments presented.
- Notice was sent to seek input from a wide variety of stakeholders including architects, designers, builders, fire protection system contractors, and realtors.
- Permit and service fees were last amended in 2014.

EXHIBITS

- Exhibit #1: Proposed Medford Code Section Amendments
- Exhibit #2: Outline and Justification of Proposed Medford Code Amendments
- Exhibit #3: Proposed Amended Fire Department Permit and Services Fee Schedule

Thank you,

Greg Kleinberg
Deputy Chief-Fire Marshal



(Deleted language is ~~struck-through~~ and new language is **bolded**.)

5.550 Outside Burning

(1) No person shall start or maintain any fire outside a building ~~(except for outdoor cooking fires, fires in outdoor fireplaces the that meet the requirements of the Medford Building Department, freestanding fireplace that (1) will be placed on a non-combustible surface that extends at least 16 inches beyond the front and at least 8 inches beyond the side of the fireplace opening, and (2) will not be placed beneath combustible materials, and agricultural heating devices)~~ for the purpose of burning any combustible material, or cause or participate therein, nor shall any person in control of any premises cause or knowingly allow any such fire to be started or maintained on any part of said premises unless:

- (a) A permit has been issued as allowed in subsection (7) by the city Fire Chief or ~~his agent~~ **the Fire Chief's designee** to maintain such fire at that location; and
- (b) The fire is started and maintained in accordance with the terms **and specific conditions** of the permit ~~and the following requirements of this section. No outside burning whatsoever shall be permitted during December and January, except for an outdoor cooking fire and agricultural heating devices.~~

Exceptions that do not require a fire code permit under Section 1 include:

- (a) Outdoor cooking fires by permission of the property owner
- (b) Fires in outdoor fireplaces the that meet the requirements of the Medford Building Department by permission of the property owner
- (c) Natural gas fueled-only or propane fueled-only fireplace/fire pit/appliances
- (d) Agricultural heating devices
- (e) Fires at residential properties in wood-burning freestanding fireplace appliances or freestanding fire pit appliances that meet all of the following conditions:
 - Fires are not allowed when the Jackson County Wood Burning Advisory are declared red or yellow, *and*
 - Fires are not allowed when extreme fire danger levels declared by the Oregon Department of Forestry are in effect, *and*
 - The appliance shall be used per manufacturer's safety requirements, *and*
 - The appliance must be placed on a non-combustible surface or non-combustible pad, *and*
 - Fires are not allowed without a screen to prevent embers from spreading, *and*
 - Fires are not allowed when temperatures exceed 90°F or wind speeds exceed 20 mph, *and*
 - Fires are only permitted on property when the legal owner or the owner's agent of the property gives permission, *and*
 - Fireplaces or fire pits shall not be operated within 15 feet of a combustible structure or combustible material (Not allowed on decks/patios of multi-family dwellings), *and*
 - Only dry wood or charcoal briquettes are allowed to be burned
- (f) Fires at residential properties in in-ground fire pits that meet the conditions described below in this section
 - Fires are not allowed when extreme fire danger levels declared by the Oregon Department of Forestry are in effect, *and*
 - Fires are not allowed when the Jackson County Wood Burning Advisory are declared red or yellow, *and*
 - Fires are not allowed without a screen to prevent embers from spreading, *and*
 - Fires are not allowed when temperatures exceed 90°F or wind speeds exceed 20 mph, *and*

- Fire pits shall not be operated within 25 feet of a combustible structure or combustible material, *and*
- Fires are only permitted on property when the legal owner or the owner's agent of the property gives permission, *and*
- The maximum fuel package size is restricted to three (3) feet or less in diameter and two (2) feet or less in height (Large bonfires are not allowed)
- Only dry wood or charcoal briquettes are allowed to be burned

(2) No permit will be issued where burning would violate Oregon Administrative Rules (OAR 340-264-0078) governing open burning in the Rogue Basin Open Burning Control Area.

(3) ~~Each permit shall contain a written condition in bold face type to the effect that the permittee shall contact the Fire Chief's office before each fire is started and ascertain that outside burning is approved, under subsections (4) and (5), by the Fire Chief for that day. No permit shall be valid as to any day on which at any time when the Fire Chief or the Fire Chief's designee has ascertained that burning is not permitted under said subsections. In addition, the Fire Chief or the Fire Chief's designee may condition any permit issued hereunder to exclude the burning of any particular material when he finds that the burning of such material would be unduly obnoxious in the locality of the proposed burning site.~~

(4) The Fire Chief or his agent ~~the Fire Chief's designee~~ shall not approve outside burning on any day if he determines that **high temperatures**, low humidity, high winds, drought, or other weather or other unusual conditions exist which make outside burning generally, or at the particular time and place proposed, unreasonably hazardous to the safety of persons or property. ~~In no event shall the Fire Chief approve outside burning on a day when one or more of the following conditions exist, or in his determination will exist:~~

- ~~(a) Temperatures above 90° Fahrenheit;~~
- ~~(b) Wind above 20 miles per hour; or~~
- ~~(c) Humidity below 30 percent.~~

(5) The Fire Chief or his agent ~~the Fire Chief's designee~~ may approve outside burning on any day when he determines that the ventilation index is or will be greater than 400 during that day. The ventilation index is the National Weather Service's indicator of the relative degree of air circulation for the Medford area.

(6) Fires which are subject to this section shall be maintained during daylight hours and by a competent adult person and shall be extinguished prior to darkness unless continued burning is specifically authorized in writing by the Fire Chief or the Fire Chief's designee.

(7) A permit may be issued only for **any of the following purposes:**

- (a) controlling agricultural diseases such as blight that must be quickly destroyed by fire to prevent the spread of the disease;
- (b) burning contaminated pesticide containers as prescribed by D.E.Q. and manufacturer specifications;
- (c) burning bee hives and beekeeping paraphernalia to eradicate the spread of disease;
- (d) burning a structure or the other use of fire for training purposes by a fire department in coordination with D.E.Q.; ~~or~~
- ~~(e) field burning in agricultural areas; or~~
- (e) (f) commercial recreational fire (pleasure, religious, ceremonial, cooking, warmth, or similar purposes) as defined in the Oregon Fire Code as adopted and amended;**
- ~~(g) fire pits that are not considered a public nuisance.~~

~~(8) Violation of this section constitutes a violation. It shall be unlawful for a person to cause or allow any of the following materials to be burned: garbage; treated wood; plastic; wire insulation; automobile parts; asphalt; petroleum products; petroleum treated material; rubber products; animal remains; paint; animal or vegetable~~

matter resulting from the handling, preparation, cooking, or service of food; marijuana waste products; or any other material which normally emits dense smoke or noxious odors.

(9) Outside burning without a permit is hereby declared to be a public nuisance and may be summarily abated by the Fire Chief or Chief of Police Fire or Police Department.

7.010 2014 2019 Oregon Fire Code as Modified Adopted by Reference

There is hereby adopted, and made an ordinance of this City, that certain Code and Standards known as the "Oregon Fire Code" published by the International Code Council, specifically the 2014 2019 edition thereof, as amended by the State of Oregon, and including those Appendices set forth in Section 101.2.1 of the "Oregon Fire Code", subject to the modifications and deletions set forth in Sections ~~7.018~~ 7.015 through 7.023 of the Medford Municipal Code. ~~Not less than one copy of the said "Oregon Fire Code" 2014 Edition is filed and shall be maintained in the office of the city recorder. A link to a viewable copy of the Oregon Fire Code shall be maintained on the City's website for reference.~~

7.017 Definitions

(1) Wherever the word "jurisdiction" is used in the Oregon Fire Code, it shall mean the City of Medford.

(2) Wildfire Risk Area: The wildfire risk area defined in the Oregon Fire Code shall be equivalent to Jackson County's defined wildfire hazard area/zone.

7.018 Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Above-Ground Tanks Is To Be Prohibited

(1) The limits referred to in Section 5704.2.9.6.1 of the Oregon Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as set forth in the Medford Land Development Code.

(2) ~~New above-ground bulk storage plants for flammable or combustible liquids are prohibited within this jurisdiction.~~

7.019 Establishment of Limits of Districts in Which Bulk Storage of Liquefied Petroleum Gases Is To Be Restricted

The limits referred to in Chapter 61 of the Oregon Fire Code in which bulk storage of liquefied petroleum gas is restricted includes all properties within this jurisdiction.

7.020 Establishment of Limits of Districts in Which Storage of Explosive and Blasting Agents Is To Be Prohibited

The limits referred to in Section 5601.8 of the Oregon Fire Code, in which storage of explosive and blasting agents is prohibited are hereby established as follows:

(1) Storage requiring a Class I magazine is prohibited within this jurisdiction.

(2) Storage requiring a Class II magazine is prohibited within this jurisdiction.

[Amd. Sec. 3, Ord. No. 7395, June 3, 1993; Amd. Sec. 6, Ord. No. 8271, Feb. 6, 1997; Amd. Sec. 3, Ord. No. 2005-58, Apr. 7, 2005; Amd. Sec. 5, Ord. No. 2014-148, Dec. 4, 2014.]

7.022 The Use of All Types of Fireworks in this Jurisdiction are Prohibited within the Hazardous Wildfire Areas Wildfire Hazard Zone, the Bear Creek Greenway, any City Park, and any Public School. The Retail Sales of Fireworks are Prohibited within this Jurisdiction.

(1) To offer for sale, expose for sale, or sell at retail any fireworks within this jurisdiction is specifically prohibited.

(2) To use or explode any fireworks within the wildfire hazard zone wildland urban interface areas (which for the purposes of this section are the hazardous wildfire areas as defined by Jackson County), the Bear Creek Greenway, any city park, or any public school within this jurisdiction is specifically prohibited.

EXCEPTION:

The use of fireworks for display is allowed as set forth in Sections 7.023 (14-15) (17-18) and 7.023 (19) (23) of the Medford Code in conformance with NFPA 1123 "Code for Fireworks Display", 2018 edition.

7.023 Modifications to the Oregon Fire Code 2014 2019 Edition, as adopted by the State of Oregon

The Oregon Fire Code is modified as follows:

(1) Section 102.7 is amended by adding the following language:

~~NFPA Standards shall become adopted standard of reference 90 days after the effective date of such standard.~~

Section 319 *Mobile Food Preparation Vehicles* of the 2018 ICC International Fire Code is adopted.

(2) Section 104.6.3 is amended by adding the following language:

Fire Investigation Reports for fires that are under investigation will not be released until the investigation is complete. Exception: The Fire Chief or the Fire Chief's designee may release incomplete Fire Investigation Reports.

(3) Section 106.2 is amended by adding the following language:

(a) ~~Inspections outside of normal business hours: The Fire & Life Safety Division will make every attempt to conduct inspections during the Fire & Life Safety Division's normal business hours. If the applicant or business owner's agent requests an inspection time other than the City's normal business hours, or if the fire code official determines a permit inspection is required and there is no other alternative but to conduct the inspection at a time other than the City's normal business hours, the fire code official shall inform the applicant or business owner's agent that there will be an additional inspection fee of \$75.00 per hour with a 2 hour minimum. The inspection will not be performed until the fees have been paid.~~

(b) ~~Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection after the second site visit when such portion of work for which inspections is requested is not complete or when corrections called for are not made. To obtain a re-inspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the re-inspection fee at the rate of \$75.00 per hour with a 2 hour minimum. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.~~

(4) (3) Section 105.1.1 is amended by adding the following language:

A schedule of permit and service fees Fire Department Permit and Services Fee Schedule listing fees not more than the actual or average cost of providing the service shall be established by ordinance and periodically amended by ordinance of the City Council and kept on file in the Fire Department and the City Recorder's office. Required permits include, but may not be limited to, those listed on the Fire Department Permit and Services Fee Schedule. the following list:

(a) ~~Required Operational Permits~~

1. ~~Fireworks, agricultural~~
2. ~~Fireworks, public display of~~
3. ~~Fireworks, retail sales~~
4. ~~Covered mall buildings~~

(a) ~~The placement of retail fixtures and displays (Kiosks), concession equipment, displays of highly combustible goods and similar items in the mall~~

(b) ~~Display of liquid or gas-fired equipment in the mall~~

(c) ~~Open flame or flame producing equipment~~

5. ~~Exhibits and trade shows~~

~~(a) Vehicle Display~~

~~(b) Kiosks~~

- ~~6. Explosives~~
- ~~7. Fumigation and thermal insecticidal fogging~~
- ~~8. Liquid or gas-fueled vehicles or equipment in assembly buildings~~
- ~~9. Open burning.~~
 - ~~(a) Agricultural~~
 - ~~(b) Agricultural Blight~~
 - ~~(c) Special~~
 - ~~(d) Recreational – Commercial~~
 - ~~(e) Fire Dancing~~
- ~~10. Places of assembly~~
- ~~11. Pyrotechnic special effects material~~
- ~~12. Temporary membrane structures, tents and canopies~~
- ~~13. Activities involving open flame, machines, or processes liable to start or cause a fire in the wildfire risk area*~~
 - ~~— Torches used to remove paint~~
 - ~~— Torches and other devices, machines or processes liable to start or cause a fire~~
 - ~~— Hot work (welding) operations~~
- ~~*required during declared fire season only~~
- ~~(b) Required Construction Permits~~
 - ~~1. Automatic fire-extinguishing systems~~
 - ~~2. Battery Systems~~
 - ~~3. Compressed gases.~~
 - ~~4. Fire alarm and detection systems and related equipment~~
 - ~~5. Fire pumps and related equipment~~
 - ~~6. Flammable and combustible liquids.~~
 - ~~(a) Processing~~
 - ~~(b) Abandon Tank in-place~~
 - ~~(c) Tank Removal~~
 - ~~(d) Tank Installation~~
 - ~~(e) Temporary Above Ground Storage Tank at Construction Site~~
 - ~~7. Hazardous materials~~
 - ~~8. Industrial ovens~~
 - ~~9. LP-gas.~~
 - ~~(a) Installation >125 to 1000 gal~~
 - ~~(b) Installation >1000 gal~~
 - ~~10. Private fire hydrants~~
 - ~~11. Spraying or dipping~~
 - ~~12. Standpipe systems~~
 - ~~13. Temporary membrane structures, tents and canopies.~~
- ~~(c) Other Permits~~
 - ~~1. Agricultural Burn Permits~~
 - ~~2. Recreational Fire Permits~~
- ~~(4) Section 106.2 is amended by adding the following language:~~
 - ~~(a) Inspections outside of normal business hours: The Fire & Life Safety Division will make every attempt to conduct inspections during the Fire & Life Safety Division's normal business hours. If the applicant or business owner's agent requests an inspection time other than the City's normal business hours, or if the~~

fire code official determines a permit inspection is required and there is no other alternative but to conduct the inspection at a time other than the City's normal business hours, the fire code official shall inform the applicant or business owner's agent that there will be an additional inspection fee as set forth in the Fire Department Permit and Services Fee Schedule. The inspection will not be performed until the fees have been paid.

(b) Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection after the second site visit when such portion of work for which inspections is requested is not complete or when corrections called for are not made. To obtain a re-inspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the re-inspection fee as set forth in the Fire Department Permit and Services Fee Schedule. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(5) Section ~~408.4~~ 109.1 is amended by adding the following language:

Refer to Medford Code Section 7.910.

(6) Section ~~409.3~~ 110.3 is amended by adding the following language:

Violations.

(A) Any person who violates any of the provisions of the *Oregon Fire Code* as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made there under, or who builds in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who fails to comply with such order as affirmed and modified by the regional appeals advisory board or by a court of competent jurisdiction, within the required time, shall severally for each and every violation and noncompliance, respectively, be guilty of an infraction, punishable by a penalty as provided by the City Code (Refer to Section 7.900). The imposition of one penalty for any violation shall not excuse the violations or defects within a reasonable time; and not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

(B) The application of the above penalty is in addition to other remedies available to the City including but not limited to the enforced removal of prohibited conditions.

(C) Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, the history of previous violations shall be given whenever an infraction penalty is assessed under this section.

(D) The Fire Chief or ~~his~~ the Fire Chief's designee shall have the authority to issue infraction penalties.

(7) Section 307 is amended by adding the following language:

Refer to Medford Code Section 5.550.

~~(8) Section 503.1.1 Exception 2 is amended by adding the following language:~~

~~When an approved alternate method is required as specified in Section 901.4.3 that alternate method must be recorded on that property's deed, prior to final plat approval, as a requirement for future construction.~~

~~(9) Section 503.2.1 is amended by adding the following language:~~

~~Upon approval by the fire code official, fire apparatus access road width of 20 feet may be reduced.~~

(10) (8) Section 503.4 is amended by adding the following language:

Fire department emergency access obstructions on existing streets and fire lanes. The Fire Chief of the Fire Department or his representative the Fire Chief's designee shall have the authority to impose parking restrictions on existing streets or fire lanes that provide less than 20 feet width of unobstructed access are less than 36 feet in width. The Fire Chief or the Fire Chief's designee may require that the street or a portion of the street or fire lane be posted with public street No Parking signs or private street/property "No Parking-Fire Lane" signs/markings if any of the following conditions apply:

- (a) Site –specific conditions, parking of vehicles, or inadequate turning radius have rendered the travel lanes inadequate for emergency operations and fire department access.
- (b) Actual emergency response experience indicates that emergency vehicles cannot effectively provide emergency service.

Approval of the Public Works Director (or designee) shall be obtained for the layout, design and installation of parking restrictions on public streets. Fire Department approval shall be obtained for the layout, design, and installation of No Parking – Fire Lane signs along private streets, private easements, and fire lanes.

(c) The Medford Police Department shall have the authority to issue fire code citations for the following offenses on public and private properties:

- (a) 4. Obstruction of marked fire apparatus access roads and fire lanes (Ref. OFC 503.4; OFC 503.2.1).
- (b) 2. Failure to maintain existing **No Parking** or **NO PARKING - FIRE LANE** signs/markings (Ref. OFC 503.3; OFC D103.6).
- (c) 3. Obstruction of fire hydrants and fire protection equipment (Ref. OFC 507.5.4; ORS 811.550(16)).

(9) Section 507.5 and Appendix C is amended by adding the following language:

The fire code official may be guided by fire hydrant spacing listed in Table C102.1 but generally will utilize a standard of 250 feet (narrow streets – see Medford Code section 10.430) to 500 (Standard residential streets) feet between fire hydrants in low density residential zones and 300 feet between fire hydrants in high density residential and commercial/industrial zones. For streets classified as Major Arterial, Minor Arterial, Major Collector and some Minor Collector streets where the Minor Collector may be re-classified as a Major or Minor Collector or a Major Arterial street, hydrants may be required to be located on each side of the street to meet a hydrant density of 300 or 500 feet on each side of the street. Increased hydrant density may be required by the fire code official.

(11) (10) Section 903.2.11.1.3 is amended by adding the following language:

Sprinklers Required in Basements.

(a) DEFINITIONS. For the purpose of this section, the following definitions apply:

"Basement" shall mean any story, any portion of which is below the building grade of the building, or a cellar or subcellar.

"Building grade" shall mean the average of the finished ground level or a sidewalk level at and adjoining the exterior walls of the building.

"Story" shall mean all that portion of the building within the exterior walls thereof, included between the upper surface of any floor and lower surface or bottom of the floor structure next above.

(b) SCOPE. This section shall apply only to buildings devoted wholly or in part to the following uses: business and professional offices; hotels, apartments, motels and like purposes; industrial manufacturing; commercial, or professional enterprises; or any use or operation where the public is expressly or indirectly invited to come upon the premises or any part thereof to transact business, to meet or congregate, or for care or treatment. The requirements of subsection (b) of this section shall apply to a building that is existing at the time of the enactment of this ordinance, only if such building is hereinafter substantially remodeled or structurally altered, or if there is hereinafter a change of use of the basement in the building whereby the public is thereafter expressly or indirectly invited to enter the basement for the purpose of transacting business therein. This section shall not be construed as excusing or suspending for any period any requirement otherwise imposed by any other section or provision of the Oregon Fire Code.

(11) Section 901.6.3 is amended by adding the following language: Records of all fire protection system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises

for the life of the installation and service contractors shall submit the service reports, in a manner specified by the Fire Marshal, to Medford Fire-Rescue's Fire & Life Safety Division within 30 days of performing the inspection and test.

(12) Section 904.1.1 is amended by adding the following language: Fire protection systems service providers providing inspections, tests, and maintenance required by OFC 901.6 and the referenced standards shall be qualified and shall provide the inspections, tests, and maintenance in accordance with the referenced standards. Where a manufacturer requires only manufacturer certified technicians to conduct inspection, testing and maintenance service on their engineered fire protection system, uncertified technicians shall not service the system. Prior to servicing the system, the service company performing the work shall submit a copy of the current manufacturer's certification in the manner specified by the Fire Marshal, to Medford Fire-Rescue's Fire & Life Safety Division to keep on file.

(13) Section 1101.4 is amended by adding the following language:

When a building is found to be in noncompliance with this chapter, the fire code official shall apply all of the actions found in the Section 110 which may include notification to the owner, the owner's authorized agent, operator, or other person responsible for the noncompliance of the building. Upon receipt of such notice, the owner, the owner's authorized agent, operator, or other person responsible for the noncompliance shall, subject to the following time limits, take necessary actions to comply with the provisions of this chapter.

(14) Section 5001 is amended by adding the following language:

The manufacture and storage of the following materials is prohibited within this jurisdiction, unless approved by the Fire Chief or the Fire Chief's designee.

(1) Unclassified detonable or Class I Organic Peroxides

(2) Class 4 oxidizers

(3) Class 3 and Class 4 Unstable reactives

(15) Section 5601 is amended by adding the following language:

The manufacture of fireworks within this jurisdiction is prohibited.

(16) Section 5601.1.3 is amended by adding the following language:

The provisions of the Oregon Fireworks Law, as set forth in Chapter 480 of the Oregon Revised Statutes, are adopted and incorporated herein by reference.

(a) Except as hereinafter provided, it shall be unlawful for any person to store, use, offer for sale, expose for sale, or sell at retail any fireworks within this jurisdiction. The storage, use, offer for sale, exposition for sale, and sale of retail fireworks within the City of Medford is permitted from July 1 to July 6. Refer to Medford Code 7.023 Sections 14-15 17-18 and 19 23 for permitted public displays. Refer to Medford Code Section 7.022 for specific location use and sales restrictions.

(b) The careless or reckless use of fireworks is prohibited in this jurisdiction.

(c) Except as otherwise provided, it shall be unlawful to store, use, offer for sale, expose for sale, or sell any non-retail fireworks within this jurisdiction.

(17) Section 5601.2 is amended by adding the following language:

Permits are required for public displays. **A State of Oregon permit is required for public fireworks displays and on-stage special effects as outlined by OAR 837-012-0700 through OAR 837-012-0970. In addition, a local permit is required from the Medford Fire Department.** Applications for permits the Medford Fire Department permit shall be made in writing at least ten (10) days in advance of the date of display. After the permit is granted, possession and use of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. ~~In addition, a special State of Oregon permit is required for public fireworks displays and on-stage special effects as outlined by OAR 837-012-0700 through OAR 837-012-0970.~~

(15) **(18)** Section 5601.2.4 is amended by adding the following language:

Before a permit is issued, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000.00 or a public liability insurance policy for the same amount for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any legal judgment results. The **Fire Chief or the Fire Chief's designee** may specify a greater or lesser amount when, in his opinion, conditions at the location of use indicate a greater or lesser amount is required. Public agencies shall be exempt from this bond requirement.

(19) Section 5601.8 is amended by adding the following language:

The limits referred to in Section 5601.8 of the Oregon Fire Code, in which storage of explosive and blasting agents is prohibited are hereby established as follows:

(1) Storage requiring a Type 1 magazine is prohibited within this jurisdiction.

(2) Storage requiring a Type 2 magazine is prohibited within this jurisdiction.

(16) **(20)** Section 5604 is amended by adding the following language:

The storage of explosives, explosive materials or fireworks is prohibited at any location within this jurisdiction, unless approved by the **Fire Chief or the Fire Chief's designee**.

EXCEPTION: Temporary storage, for use, in connection with approved blasting operations, explosive bolts, explosive rivets or cartridges for explosive-activated power tools in quantities approved by the fire code official. See OAR 837-012-1200 through 837-012-1420, ORS 480.010- through 480.290 and NFPA 495, "Explosive Materials Code", 2018 edition.

(17) **(21)** Section 5605 is amended by adding the following language:

The manufacture of explosives, explosive materials or fireworks at any location within this jurisdiction is prohibited.

(18) **(22)** Section 5607 is amended by adding the following language:

A blasting permit from the Medford Fire-Rescue Fire & Life Safety Division is required prior to the use of explosives or blasting agents.

(19) **(23)** Section 5608 is amended by adding the following language:

The fire code official shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by a jurisdiction, fair associations, amusement parks, other organizations or for the use of fireworks by artisans in the pursuit of their trade. Every such display shall be handled by a competent operator approved by the fire code official and shall be of such good character and so located, discharged or fired so as, in the opinion of the fire code official after proper investigation, not to be hazardous to property or endanger any person.

(24) Section 5704.2.9.6.1 is amended by adding the following language:

(1) The limits referred to in Section 5704.2.9.6.1 of the Oregon Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as set forth in the Medford Land Development Code.

(2) New above-ground bulk storage plants for flammable or combustible liquids are prohibited within this jurisdiction.

(25) Section 5801.1 is amended by adding the following language:

The storage, utilization or manufacture of flammable gases shall not exceed 250,000 standard cubic feet, exclusive of finished products in sealed portable containers.

(26) Section 6104.2 is amended by adding the following language:

The limits referred to in Section 6104.2 of the Oregon Fire Code in which bulk storage of liquefied petroleum gas is restricted includes all properties within this jurisdiction.

(20) Appendix C is amended by adding the following language:

The fire code official may be guided by fire hydrant spacing listed in Table C105.1 but generally will utilize a standard of 500 feet between fire hydrants in low density residential zones and 300 feet in high density residential and commercial/industrial zones. For streets classified as Major Arterial, Minor Arterial, Major Collector and some Minor Collector streets where the Minor Collector may be re-classified as a Major or Minor Collector or a Major Arterial street, hydrants shall be ~~to be~~ located on each side of the street to meet a hydrant density of 300 or 500 feet on each side of the street. Increased hydrant density may be required by the fire code official.

(21) Section 901.6.2 is amended by adding the following language: Records of all fire protection system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and service contractors shall submit the service reports, in a manner specified by the Fire Marshal, to Medford Fire-Rescue's Fire & Life Safety Division within 30 days of performing the inspection and test.

(22) Section 904.1.1 is amended by adding the following language: Fire protection systems service providers providing inspections, tests, and maintenance required by OFC 901.6 and the referenced standards shall be qualified and shall provide the inspections, tests, and maintenance in accordance with the referenced standards. Where a manufacturer requires only manufacturer certified technicians to conduct inspection, testing and maintenance service on their engineered fire protection system, uncertified technicians shall not service the system. Prior to servicing the system, the service company performing the work shall submit a copy of the current manufacturer's certification in the manner specified by the Fire Marshal, to Medford Fire-Rescue's Fire & Life Safety Division to keep on file.

7.210 Fire Suppression and Hazardous Material Response Charges

(1) When a fire or public safety incident occurs outside the limits of the city, or a rural fire protection district served by the city under contract, and the city fire department responds, the city may seek compensation and shall be paid for such service by charging the owner of the property as provided in ORS 478.310 or the Medford Code.

(2) Whenever any person starts or maintains a fire in the city in violation of Medford Code Section 5.550, ~~the city fire department may extinguish it and charge the owner of the property where the fire occurred for the cost of suppression, and the city fire department is required to respond to or to be used actively or on a standby basis in connection with the extinguishment of the fire, control of the fire, or investigation of the fire, the person or persons responsible for the fire is liable and the city may choose to recover costs incurred by the city for such responses or use. If the bill is not paid within 30 days after notice thereof is mailed to the owner, a service charge of 25% shall be added thereto and the total amount shall thereafter be assessed as a lien against the property and enforced in the manner provided in Medford Code section 7.440(4), (5) and (6).~~

(3) When a fire is extinguished in an unprotected area pursuant to ORS 476.280 by the city fire department, the city may seek compensation and shall be paid for such service by charging the owner of the property as provided in ORS 476.290 or the Medford Code.

(4) When a hazardous material response occurs by the city fire department, the city may seek compensation and shall be paid for such service by charging the person responsible as provided in ORS 453.382 or the Medford Code.

7.220 Wood Burning Definitions

For purposes of Sections 7.220 through 7.242, the following definitions shall apply:

(1) "Alternative heat source" means a heat source other than a solid fuel burning device.

(2) "High pollution period" means a period of time commencing three hours after initial designation as a red or yellow day by the DEQ or Jackson County Department of Health and Human Services. In the event that the DEQ or Jackson County Department of Health and Human Services designates consecutive days as red or yellow, they shall all be considered a part of the same period.

(3) "Medford-Ashland Air Quality Maintenance Area" means that part of the County specifically identified by DEQ as an air quality maintenance area, that is one of several areas in the State wherein air quality has deteriorated due to unhealthful levels of pollutants in the air. A map and written description of the Medford-Ashland Air Quality Maintenance Area (hereinafter referred to as AQMA) are included as Exhibits "A" and "B" respectively, following the text of this ordinance.

(4) "Opacity" means the degree to which emissions from a solid fuel burning device reduce the transmission of light and obscure the view of an object in the background. It is expressed as a percentage representing the extent to which an object viewed through the smoke is obscured.

(5) "Oregon certified stove" means a solid fuel burning device certified by DEQ or EPA as meeting the emission performance standards specified in Oregon Administrative Rules ~~340-34-045~~ **340-262-0500** through ~~340-34-115~~ **340-262-0600**.

(6) "PM2.5" means airborne particles 2.5 microns in diameter and smaller, which can be inhaled deep into the lungs and can lodge there for weeks and months, aggravating asthma, heart disease, and other respiratory and heart conditions.

(7) "Red day" means a 24 hour period beginning at 7:00 a.m. when PM2.5 levels are forecast by the DEQ or the Jackson County Department of Health and Human Services to reach unhealthy levels.

(8) "Residence" means a building containing one or more dwelling units used for habitation by one or more persons.

(9) "Residential woodburning" means utilization of wood in a solid fuel heating device inside a new residence.

(10) "Sole source of heat" means one or more solid fuel burning devices which constitute the only source of heating in a residence. No solid fuel burning device or devices shall be considered to be the sole source of heat if the residence is equipped with a permanently installed furnace or heating system utilizing oil, natural gas, electricity or propane.

(11) "Solid fuel burning device" means a device designed for solid fuel combustion so that usable heat is derived for the interior of a building, and includes, without limitation, solid fuel burning stoves, fireplaces, fireplace inserts, or woodstoves of any nature, combination fuel furnaces or boilers used for space heating which can burn solid fuel, or solid fuel burning cooking stoves. Solid fuel burning devices do not include barbecue devices, natural gas-fired artificial fireplace logs, DEQ approved pellet stoves, or Kachelofens.

(12) "Space heating" means raising the interior temperature of a room.

(13) "Yellow day" means a 24 hour period beginning at 7:00 a.m. when the PM2.5 levels are forecast by the DEQ or Jackson County Department of Health and Human Services to be approaching unhealthy levels.

NOTE: Ordinance No. 4740 adopted by the Council Nov. 4, 1982 and signed by the Mayor Nov. 11, 1982 provides as follows:

Section 1. General Definitions

1.1 Air stagnation advisory: Forecast made by the National Weather Service for poor ventilation conditions.

1.2 Council: The City Council of the City of Medford.

1.3 Cost-effective level of weatherization: Minimum, cost-efficient standards of weatherization, including standards for materials and installation, which shall be set by the Director of Building Safety. These standards shall reflect, but not exceed the levels defined in ~~ORS 469.710(2)~~ **469.710(3)**.

- 1.4 Medford-Ashland AQMA: That part of Jackson County, Oregon, specifically identified by the Oregon Department of Environmental Quality as an air quality maintenance area -- one of several areas in the state wherein air quality has deteriorated due to unhealthful levels of pollutants in the air.
- 1.5 Particulate: Airborne particles ranging from .01 to 1,000 microns in size. These particles are inhaled during breathing and can be harmful.
- 1.6 Person: Includes individuals, corporations, associations, firms, partnerships, and joint stock companies.
- 1.7 Primary particulate standard: An average particulate concentration of 260 micrograms per cubic meter of air during a twenty-four hour period.
- 1.8 Proof of weatherization: Certification, receipts, contracts, or other such documents specifically listing weatherization steps taken by the homeowners, which may be reviewed by building inspectors at the time of solid fuel heating system installation.
- 1.9 Regulations: Regulations promulgated by the Council pursuant to this ordinance.
- 1.10 Residential building: An existing building used for permanent or seasonal habitation by one or more persons, containing four or fewer dwelling units, and constructed prior to January 1, 1979.
- 1.11 Residential woodburning: Utilization of a wood heating device inside a dwelling unit.
- 1.12 Spaceheating: Raising the interior temperature of a room or rooms.
- 1.13 Total suspended particulate level: Amount of particulate in ambient air.
- 1.14 Trackout: The deposition of mud, dirt and other debris on paved public roadways by motor vehicles; the material being so tracked onto public roadways. Trackout can become pulverized and blown into the air by vehicular traffic, where it becomes a part of the total suspended particulate level.
- 1.15 Ventilation index: The National Weather Service's indicator of the relative degree of air circulation for a specified area.
- 1.16 Wood heating devices: A stove, heater, fireplace, or other receptacle wherein wood is heated to the point of combustion.

Section 2. Severability.

2.1 If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, such invalidity shall be confined to the section to which such declaration of invalidity relates, and the remainder of this ordinance shall continue to be operative.

Section 3. Weatherization Requirements for Solid Fuel Heating Device Installation. The purpose of this section is to reduce the amount of particulate pollution resulting from residential woodburning for building heating. Most buildings constructed before 1979 were built to lower weatherization standards than buildings constructed since that date. A highly weatherized and insulated building will require less fuel to attain and hold a given temperature. It will produce less smoke pollution and will also result in a savings of the wood or other fuel resource. Additionally, weatherization prior to or at the time of installation of a solid fuel heating device will generally result in the selection of a device more appropriately sized for the building and will lessen the potential amount of smoke produced. Therefore:

- 3.1 The installation of a wood stove, fireplace, or any other form of solid fuel, space heating device is allowed if:
- A) The space heating device is installed pursuant to the uniform building code and regulations of the Medford Department of Building Safety.
 - B) The structure contains an alternate form of space heating, including natural gas, propane, electric, oil, solar, or kerosene, sufficient to meet necessary space heating requirements, so that during episodes of high pollution levels, the occupant will be able to heat the home with other than a solid fuel burning, smoke producing method.
 - C) The residence meets or is proposed to meet within 90 days the cost-effective levels of weatherization as defined in Section 1.3 of this ordinance.

Section 4. [Repealed Ord. No. 5072, Feb. 16, 1984.] The purpose of this section is to minimize particulate emissions from home heating devices by improving home weatherization and reducing energy loss. This section is also intended to encourage homeowners to make use of free energy audits and low-interest financing available from local utility companies. It is the City's intent to advertise and make known programs which are already available for weatherizing homes and to assist citizens in taking advantage of those programs.

4.1 It is the goal of the City of Medford to assist citizens to weatherize all residences to the cost-effective level by January 1, 1987.

4.2 All residential buildings shall have received an energy audit prior to the time of sale or rental, and such information shall be made available to potential purchasers or renters as a condition of such sale or rental. This section shall become effective six months after adoption of this ordinance.

4.3 In January of 1984, if the primary particulate health standards are not being maintained, all homes with a wood heating system shall be weatherized to cost-effective levels at the time of sale or rental.

Section 5. Pollution Episode Curtailment

The purpose of this section is to reduce the amount of particulate pollution during periods of air stagnation or when pollution levels are critical. Periods of air stagnation occur at various times in a year and can create a severe accumulation of pollutants. Residential woodburning can contribute as much as 50 percent of the particulate pollution during these conditions.

5.1 The use of residential woodburning devices is prohibited on each day that an air stagnation advisory announcement for the Medford-Ashland AQMA has been issued by the National Weather Service. This subsection takes effect on July 1, 1984, if the particulate health standard is not attained in the Medford-Ashland Air Quality Maintenance Area by that date.

5.2 Residences having no other form of space heating are exempt from this section.

Section 6. [Repealed, Sec. 2, Ord. No. 2008-187, Sept. 18, 2008.]

7.224 Solid-Fuel Burning Device Exemptions

It is permissible for a household to operate a solid fuel burning device within the City of Medford during a high pollution period when the head of that household has previously obtained one of the following exemptions.

Exemptions granted under this section shall expire on September 1 of each year:

(1) Economic Need: An exemption for an economic need to burn solid fuel for residential space heating purposes may be issued to heads of households who can show their eligibility for energy assistance under the Low-Income Energy Assistance Program (hereinafter referred to as L.I.E.A.P.), as administered by ACCESS, Inc. or its successor.

(2) Sole Source: An exemption may be issued to the heads of households who sign a sworn statement declaring their reliance on a solid fuel burning device as the sole source of heat for their residence. Sole source exemptions shall not be issued unless the residence is approved for installation of an alternative heating source through the Jackson County Housing Authority woodstove replacement program guidelines or in the absence of such a program, when the head of a household can show that the family income is less than 80% of the median income level for the Medford metropolitan area as established by the Federal Department of Housing and Urban Development (HUD). Households that qualify for an exemption based on economic need, as defined in this chapter, may continue to rely on a solid fuel burning device as the sole source of heat for the residence beyond two years from the effective date of this section.

(3) Special Need: Upon a showing of special need which shall include, but not be limited to, occasions when a furnace or central heating system is inoperable other than through the owner or operator's own actions or neglect.

7.430 Nuisance Described; Offense Punishable

(1) Except as provided in subsection (3) hereof, it shall be unlawful and a public nuisance for any owner or occupant of real property in Medford to allow grass, weeds, brush, or bushes, or any like vegetation, over a height of ten inches to remain upon such real property during the period May 1 to September 30 in any calendar year, or at any other time prior to May 1 if the Fire Chief or the Fire Chief's designee determines that such growth constitutes a fire hazard. For the purposes of this section, dead or dried grass/weeds/brush/bushes/vegetation over a height of 10 inches is a fire hazard.

Fire season fire danger level restrictions including vegetation removal and operation of equipment in effect by Oregon Department of Forestry shall be enforced by the City of Medford. Exceptions may be granted by the Fire Chief or the Fire Chief's designee.

The following guidelines shall be used for mitigation requirements, unless as otherwise approved by the Fire Chief or the Fire Chief's designee:

- (a) Properties less than one acre in size: All grass, weeds, brush, bushes, or any like vegetation posing a fire hazard shall be disked, cut, or removed.
- (b) Properties more than one acre in size: Grass, weeds, brush, bushes, or any like vegetation posing a fire hazard shall be disked, cut, or removed. Firebreaks may be considered acceptable as an alternative to clearing the entire parcel. Minimum 30' wide firebreaks shall be provided around the perimeter of the property and the area shall be divided into maximum 2.5 acre parcels with minimum 30' wide cross-breaks. In addition, minimum 100' firebreaks are required adjacent to improved subdivisions/properties (Road width may be considered part of the 100' firebreak).
- (c) Subdivisions, including those with paved streets and not fully built out: All grass, weeds, brush, bushes, or any like vegetation posing a fire hazard shall be disked, cut, or removed from each individual lot.
- (d) Unmaintained agricultural properties: Grass, weeds, brush, bushes, or any like vegetation posing a fire hazard shall be disked, cut, or removed. Minimum 30' wide firebreaks shall be maintained along the perimeter from the edge of road. In addition, minimum 100' wide firebreaks adjacent to improved subdivisions/properties (Road width may be considered part of the 100' firebreak).
- (e) Structures in wildfire hazard zones: Minimum 100' firebreaks (defensible space) shall be provided around the perimeter of the structure (Road or driveway width may be considered part of the 100' firebreak).

(2) Violation of subsection (1) of this section constitutes a violation per Section 7.430 of the Medford Municipal Code.

(3) The provisions of subsection (1) shall not apply to the following:

- (a) To ornamental shrubs, bushes, or other like vegetation maintained and kept in a landscaped yard or place; or,
- (b) Any crop grown and maintained for agricultural purposes, or grass or other like vegetation grown and maintained for pasturage upon property fenced, zoned, and otherwise lawfully used for said purpose; or,
- (c) To any "natural area" within a public park in the City of Medford. As used herein the term "natural area" shall mean any park or portion thereof preserved in its native state, and approved in writing by the Medford Park Development Commission. Prior to approving any natural area the Medford Park Development Commission shall solicit and comply with any order of the Fire Marshal concerning the elimination or reduction of a fire hazard.

(4) Each day during which such a condition is unlawfully permitted to exist after notice has been given in the manner prescribed by section 7.440(2) shall be deemed a separate offense punishable in the manner prescribed by Section 1.100 of this Code; provided that the condition shall be deemed a nuisance and, in addition to the foregoing remedy, may be abated by the City in the manner hereinafter prescribed, and the cost of abatement assessed as a lien against the property and subject to foreclosure in the same manner and to the same effect as in the case of special benefit assessment liens.

[Amd. Sec. 4, Ord. No. 5358, Feb. 7, 1985; Amd. Ord. No. 7345, March 18, 1993; Amd. Sec. 2, Ord. No. 8271, Feb. 6, 1997; Amd. Sec. 4, Ord. No. 2000-55, April 6, 2000; Amd. Sec. 10, Ord. No. 2009-91, May 7, 2009, Amd. Sec. 1, Ord. No. 2019-23, April 4, 2019]

7.910 Appeals

~~If the owner, lessee, agent or occupant is aggrieved by the order of an officer under the provisions of ORS 476.030, 479.170, 479.210 to 479.220, 480.123 to 480.160, 480.330, 480.340, 480.420 to 480.434 or 480.450 and desires a hearing, the person may complain or appeal in writing to the State Fire Marshal within 10 days from the service of the order. The complaint or appeal shall set forth the specific grounds of the complaint or appeal and no other ground shall be considered thereafter~~

Appeals of any decision of the Fire Chief or the Fire Chief's designee may be appealed by filing a written appeal with the City Recorder in accordance with Section 1.025 within 10 days of the decision. An application for appeal of a fire code related decision shall be based on a claim that the intent of the code or the rules legally adopted hereunder have been incorrectly interpreted, that the provisions of the code do not fully apply, or an equivalent method of protection or safety is imposed.

~~Whenever the Fire Chief shall disapprove an application, or refuse to grant a permit, or suspend or revoke a permit, and the applicant claims that the provisions of this code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the board of appeals created under Section 2.475 of the Code of Medford by filing notice of such appeal with the City Recorder within 10 days from the date of the decision appealed.~~

10.767 Oxidizing Materials

~~The manufacture of oxidizing materials is prohibited. The storage or utilization of oxidizing materials in excess of 500 pounds is prohibited.~~

10.768 Flammable Gases

~~The storage, utilization or manufacture of flammable gases shall not exceed 250,000 standard cubic feet, exclusive of finished products in sealed portable containers.~~



Section	Reason for Amendment
5.550 Outside Burning	<ul style="list-style-type: none"> • Improve language. • Change language from "Fire Chief" to "Fire Chief or the Fire Chief's designee". • Add language allowing recreational fires at residential properties under certain conditions. • Add language about prohibited burning of certain materials, which is in Oregon statutes. • Clarify language for enforcement purposes.
7.010 2019 Oregon Fire Code as Modified Adopted by Reference	<ul style="list-style-type: none"> • Adopt the 2019 Oregon Fire Code. Remove the section stating one copy will be maintained in the office of the City Recorder and reference a viewable copy by link on our website.
7.017 Definitions	<ul style="list-style-type: none"> • Add the word "zone" to the wildfire hazard area language.
7.018, 7.019, 7.020	<ul style="list-style-type: none"> • Delete 7.018, 7.019, and 7.020 and move existing language to sections 7.023 (24), 7.023 (26), 7.023 (19).
7.022 The Use of All Types of Fireworks in this Jurisdiction are Prohibited within the Hazardous Wildfire Areas...	<ul style="list-style-type: none"> • Clarify with "wildfire hazard zone" language.
7.023 Modifications to the Oregon Fire Code 2019 Edition, as adopted by the State of Oregon	<ul style="list-style-type: none"> • Strike language that adopts the most current NFPA standards. • Adopt Section 719 of the 2018 International Fire Code (IFC) regarding mobile food preparation vehicles as Oregon ran out of time to include this language in the 2019 OFC and plans to adopt it mid-cycle. We need it now. • Change language from "Fire Chief" to "Fire Chief or the Fire Chief's designee" • Relocate several sections • Remove individual required permits and reference the Fire Department Permit and Services Fee Schedule. • Update code references • Strike unnecessary language about alternate methods and fire official reducing road widths. • Clarify language to be more consistent with OFC language for unobstructed road width. • Clarify the difference between public versus private markings for parking restrictions. Add language requiring approval of the Public Works Director or designee for the posting parking restrictions on public streets.

	<ul style="list-style-type: none"> • Amend language for fire hydrants on both sides of major streets to be “may” instead of “shall”, as this should be left up to the discretion of the fire department and in many cases may not be necessary. • Amend language for records of fire protection systems to be maintained on the premises for the life of the installation to be match the new OFC changes. • Add new language to 7.023 (13) which includes discretionary notification to the owner, the owner’s authorized agent, operator, or other person responsible for the noncompliance of the building. • Amend language for manufacture and storage of oxidizers to include other materials that pose a detonation hazard. Remove the 500 pound threshold. • Clarify that both a State permit is required and a local permit for firework displays. • Correct explosives magazine designation to “Type” instead of “Class”.
7.210 Fire Suppression and Hazardous Material Response Charges	<ul style="list-style-type: none"> • Add Hazardous Material Response to the section title. • Amend section to allow the City to recover costs for responses of intentionally set fires. The intent would be to apply this rarely, but it could be used to hold an arsonist responsible for restitution or to bill a repeat offender of illegal fires. • Add new language that is found in the ORS’s that allows to the city to collect costs incurred on suppressing fires in unprotected areas and costs incurred for hazmat incidents.
7.220 Wood Burning Definitions	<ul style="list-style-type: none"> • OAR and ORS reference corrections
7.224 Solid-Fuel Burning Device Exempt.	<ul style="list-style-type: none"> • Clarify section title language
7.430 Nuisance Described; Offense Punishable	<ul style="list-style-type: none"> • Codify language guidelines for vegetation mitigation that we have been using for years.
7.900 Penalty	<ul style="list-style-type: none"> • Reference correction
7.910 Appeals	<ul style="list-style-type: none"> • Improve current language which is confusing and points to two different paths for appeals. We are an Exempt jurisdiction and therefore can have our own appeals process.
10.767 Oxidizing Materials	<ul style="list-style-type: none"> • Delete and move to 7.023 (14)
10.768 Flammable Gases	<ul style="list-style-type: none"> • Delete and move to 7.023 (25)



Fire Department Permit and Services Fee Schedule

Permit Type Required	Description	When Required	Submit to Dept.	Prop. Fee ¹	Current Fee
Activities involving open flame, machines, or processes in the wildfire hazard zone	Cutting, welding, and similar activities that may ignite a wildfire fire during fire season in a wildfire hazard zone (WHZ)	Only during fire season prior to activity in a WHZ	Fire	\$0	\$0
Aerosol products	Level 2 or 3 products in excess of 500 pounds	Initially ⁴	Fire	\$150	New
Amusement buildings		Prior to occupancy	Fire	\$0 ²	New
Automatic fire-extinguishing systems	Fire sprinkler, kitchen hood, clean agent, paint booth, etc. - suppression systems	Initially	Building	*	*
Battery systems		Initially	Building	*	*
Carnivals and fairs		Prior to event	Fire	\$0 ²	New
Combustible fibers	Required for the storage and handling of combustible fibers in quantities exceeding 100 cf	Initially ⁴	Fire	\$150	New
Compressed gases	Required when amounts exceed the those listed in OFC Table 105.6.10	Initially ⁴	Fire	\$150	\$100
Electrified fences	Registration with the Fire Department is required. A fire code permit is not required.	Initially	Building	-	New
Emergency responder radio coverage system		Initially	Building	*	*
Exhibits and trade shows		Prior to event	Fire	\$0 ²	\$0 ²
Explosives (blasting)	Required for storage, handling, and use	Prior to event	Fire	\$100	\$75
Fire alarm and detection systems		Initially	Building	*	*
Fire pumps		Initially	Building	*	*
Fireworks, agricultural	Small fireworks set to go off at specific intervals to scare birds off agricultural land	Prior to event	Fire	\$100	\$75
Fireworks, public display	Public or private fireworks displays done by a professional company	Prior to event	Fire	\$150 ²	\$100 ²
Fireworks, retail sales	Only allowed outside the City limits; No fireworks sales allowed inside City limits	Prior to event	Fire	\$100 ³	\$75 ³
Flammable & combustible liquids	<ul style="list-style-type: none"> Processing Tank installation Tank removal, abandon tank in-place Temporary above-ground tank 	Initially ⁴	Fire	\$150 \$150ea \$100ea \$150ea	\$100 \$100ea \$100ea \$50ea
Fumigation and insecticidal fogging		Prior to event	Fire	\$100	\$50
Gas detection systems		Initially	Building	*	New
Hazardous materials	Required when amounts exceed the those listed in OFC Table 105.6.20	Initially ⁴	Fire	\$150	\$100
High-piled storage	Required when size of high-piled storage area exceeds 500 square feet, including aisles	Initially ⁴	Fire	\$150	New
Industrial ovens		Initially	Fire	\$100	\$100
LP-gas (Propane)	Installation of new tank - Not required for installations at private residences for 500 gallons or less capacity	Initially	Fire	\$150ea	\$100

Miscellaneous combustible storage	Required to store in any building or on any premise in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels, or similar containers, combustible pallets, rubber tires, rubber, cork or similar combustible material	Initially ⁴	Fire	\$150	New
Mobile food preparation vehicles		Initially	Fire	\$0	\$0
Open burning	<ul style="list-style-type: none"> • Agricultural burning • Agricultural blight • Special • Recreational - Commercial 	Prior to burning	Fire	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Open flame or flame producing equipment	<ul style="list-style-type: none"> • Kiosk or demonstration in assembly buildings or covered mall buildings • Fire dancing in a building 	Prior to event	Fire	\$50 \$25	\$25 \$0
Outdoor assembly event	Required for large outdoor assembly events where planned attendance at any one time exceeds 1000 persons	Prior to event	Fire	\$150	New
Places of assembly	Required for large assembly functions (150 or more occupants expected at any one time) located in spaces or buildings that do not have fixed seating	Prior to event	Fire	\$0 ²	\$0 ²
Plant extraction systems	<ul style="list-style-type: none"> • Extraction processes 	Initially ⁴	Fire	\$150	New
Pyrotechnic special effect material	Pyrotechnic shows are prohibited unless approved by permit process	Prior to event	Fire	\$100 ²	\$100 ²
Private fire hydrant systems or on-site firefighting water supplies	Per OFC and NFPA requirements	Initially	Fire	\$150	\$100
Private fire service mains	Note: A separate permit is not required if the Building Department submittal of architectural or fire sprinkler plans shows the private fire service main details per the OFC and NFPA 24	Initially	Building	*	*
Shelters - Severe Event		Prior to start of season or first event	Fire	\$0	New
Shelters -Temporary		Prior to start of season or first event	Fire	\$0	New
Smoke control or smoke exhaust systems		Initially	Building	*	New
Special event structure		Prior to event	Building	*	New
Spraying and dipping operations		Initially ⁴	Fire	\$100	\$100
Standpipe systems	<ul style="list-style-type: none"> • In-building systems require a Building permit • Exterior dry-standpipe systems require a Fire permit 	Initially	Building	* \$100	* \$100
Temporary membrane structures and tents	Required when the structure or tent is in place for less than 180 days (>180 days require a Building permit)	Prior to occupancy	Fire	\$100 ³	\$75 ³
Vehicle or equipment display, liquid or gas-fueled	<ul style="list-style-type: none"> • Assembly buildings • Covered mall buildings 	Prior to event	Fire	\$50	\$50

1. *The applicant will be charged for an after normal business hour inspection if that is the only time the required inspection can occur*
2. *After normal business hour standby personnel charges may apply*
3. *There will be no fee assessed for a nationally recognized non-profit organization*
4. *Or as required by the fire code official based on change of occupancy, use, material or process*
** This permit must be obtained through the Building Department (Permit fee based upon valuation)*

Service Fees	Description	Proposed Fee	Current Fee
Inspection – After hours	The Fire & Life Safety Division will make every attempt to conduct inspections during the Fire & Life Safety Division's normal business hours. If the applicant or business owner's agent requests an inspection time other than the City's normal business hours, or if the fire code official determines a permit inspection is required and there is no other alternative but to conduct the inspection at a time other than the City's normal business hours, the fire code official shall inform the applicant or business owner's agent that there will be an additional inspection fee. The inspection will not be performed until the fees have been paid.	\$100 per hour per person (Minimum 2 hours)	\$75 per hour per person (Minimum 2 hours)
Re-inspection and Plan Reviews	May be assessed after the second site visit when such portion of work for which inspections is requested is not complete or when corrections called for are not made. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. May also be assessed for excessive plan reviews.	\$100 per hour per person (Minimum 2 hours)	\$75 per hour per person (Minimum 2 hours)
Standby – Fire Personnel	Standby personnel may be requested for certain events and some large events may be required to have Fire Department standby personnel	\$100 per hour per person (Minimum 2 hours)	New
Fire extinguisher training	<ul style="list-style-type: none"> • 1-15 people (During normal business hours) • >16 people (During normal business hours) • After normal business hours 	\$0 \$5/person \$200 plus \$5/person	New
Fire suppression and investigation charges on illegal fires.	May be assessed whenever any person starts or maintains a fire in the city in violation of Medford Code Section 5.550 and the city fire department is required to respond to or to be used actively or on a standby basis in connection with the extinguishment of the fire, control of the fire, or investigation of the fire. The person responsible for the fire is liable and the city may choose to recover costs incurred by the city for such response or use.	State standardized-costs schedule issued by the State Fire Marshal (Found in OSFM's Oregon Fire Service Mobilization Plan)	New

CITY COUNCIL STUDY SESSION MINUTES



MEDFORD
CITY COUNCIL

March 12, 2020

6:00 P.M.

Medford Room, City Hall

411 West 8th, Medford, Oregon

The City Council Study Session was called to order at 6:00 p.m. in the Medford Room of the Medford City Hall on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Kay Brooks (via phone), Tim D'Alessandro, Alex Poythress, Eric Stark and Kevin Stine; City Manager Brian Sjothun, Deputy City Attorney Eric Mitton, Deputy City Recorder Winnie Shepard, Principal Planner Angela Durant, ECONorthwest Project Director Beth Goodman, Planning Director Matt Brinkley, Principal Planner Carla Paladino

Councilmembers Clay Bearson, Dick Gordon, Michael Zarosinski were absent.

HUD 2020-24 Consolidated Plan

Principal Planner Angela Durant and ECONorthwest Project Director Beth Goodman presented a PowerPoint regarding the HUD 2020-24 Consolidated Plan. (PowerPoint attached.)

City Manager Brian Sjothun questioned why addiction recovery programs, mental health services and employment job skills training were noted if they are not City-related; Ms. Durant explained that City grant funds were given to local agencies providing those services and the Consolidated Plan would note that the City encouraged the support and development of partnerships to increase resources for mental health and housing services in our community.

Ms. Durant advised that staff used multiple platforms to ensure survey responses were received from all age groups, races, economic status, etc. to provide the most accurate representation of all citizens.

The City is required to complete this plan to continue our entitlement funding through the CDBG. Council will prioritize the funding recommendations for CDBG, the general fund and CET. Council's top priority is housing and the construction will require collaboration with multiple agencies.

Ms. Durant clarified that Council liked her team's approach.

Councilmember Brooks recommended staff review the zoning commercial property to high density residential.

Outdoor Hemp Production Zoning

Principal Planner Carla Paladino advised that this topic was brought forward in response to citizen complaints regarding odor. Hemp is considered an agricultural crop which are permitted in industrial zones, but the Code does not outline specific regulations for hemp grows or address the odor. Deputy City Attorney Eric Mitton added that the Code regulations for marijuana grows did not apply to hemp. Staff would need to review Oregon's Right to Farm Act to determine the allowable City regulations regarding agricultural crops. Because this would take significant time, staff was seeking Council direction on whether to begin that process.

Planning Director Matt Brinkley explained that these agricultural grows impact neighboring industrial and/or commercial businesses. Staff has not contacted hemp growers regarding these concerns.

Council voiced comments and opinions regarding hemp: Hemp is much different than marijuana. It is an international product which could have significant economic impact in Medford. Regardless of residential or commercial zoning, odors should not impact neighbors. Outdoor hemp production should not be allowed. Indoor processing should not be treated differently than other facilities processing agricultural crops. This industry will change as the market grows, similar to marijuana. Typically there are not crops grown within City limits. Any zone changes should not single out a specific crop, the regulations should apply to all agricultural crops.

Planning Director Matt Brinkley advised that last year there were not enough local processing facilities for hemp crops.

A member of the audience stated that industrial land is not ideal to grow hemp and that once the crop becomes an oil there is not much odor.

Mr. Sjothun clarified that Council was directing staff to research potential regulations for hemp production. There were no objections to moving forward.

2019 Oregon Fire Code

Deputy Fire Chief/Fire Marshall Greg Kleinberg presented a PowerPoint regarding the 2019 Oregon Fire Code. (PowerPoint attached.) When the Oregon Fire Code is updated, Medford Code must be amended to align with the new requirements.

He noted multiple revisions and additions; the following points were clarified:

- The new regulations in the *Fire Watch During Construction* section is discretionary.
- Crowd managers are now required for events with more than 500 people. Training in evacuation procedures is required for these managers.
- For intentionally set fires, the person who set the fire can now be held financial responsible instead of the property owner.

Medford City Council Study Session Minutes
March 12, 2020

- No permit is needed for fire pits for one or two family residences. The Fire Department has created fire safety guidelines for use of fire pits, but they are not actively enforced. Violations are complaint driven.
- Barbeques and outdoor grills are exempt, even in extreme temperatures.

Mr. Kleinberg outlined potential fee increases.

There were no objections to staff bringing these Code amendments to a Council meeting for approval.

Council Officers Update

Councilmember Stine provided a brief outline of the Council Officers meeting.

The meeting adjourned at 7:38 p.m.



Winnie Shepard, CMC
Deputy City Recorder

Medford 2020-2024
Consolidated Plan

March 12, 2020



Council Direction

Staff is seeking direction on:

- The proposed approach for completion of the 2020-2024 Consolidated Plan
- Key goals and strategies for the 2020-2024 Consolidated Plan

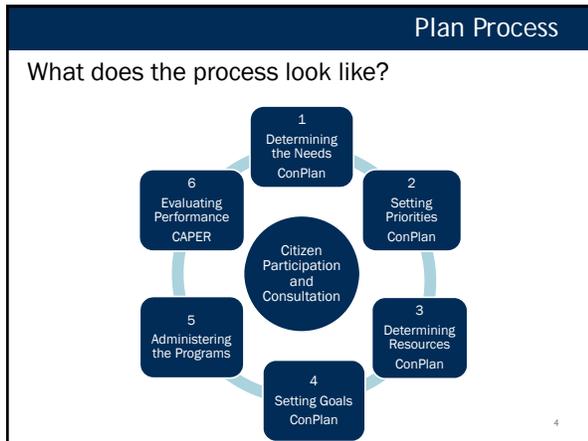
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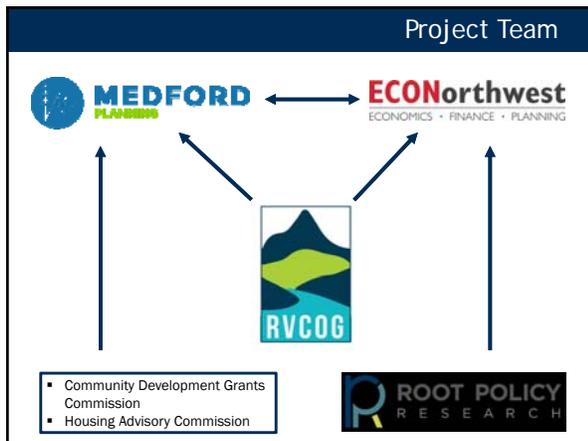
Plan Overview

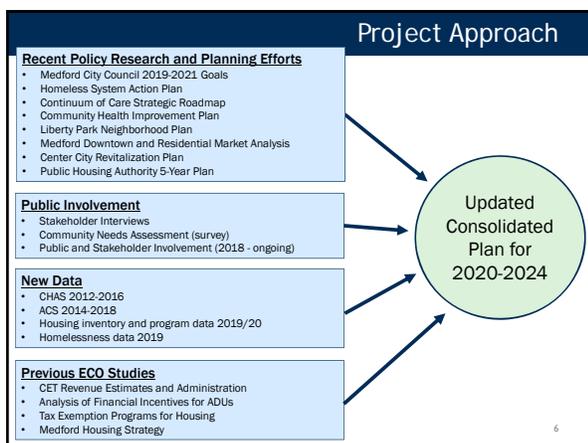
What is the Consolidated Plan?

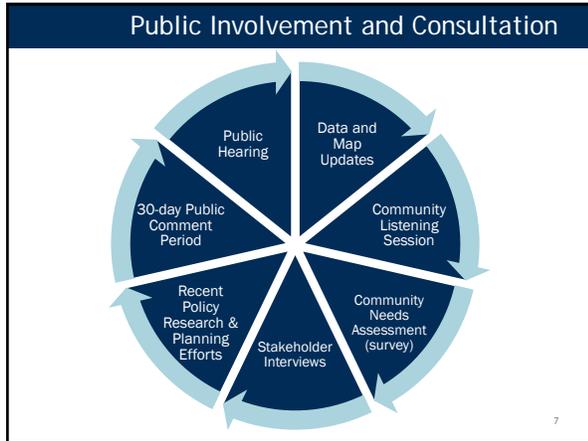
- Complies with HUD regulations
- Occurs once every 5 years
- Identifies the community's critical needs
- Establishes goals and strategies
- Drives funding decisions



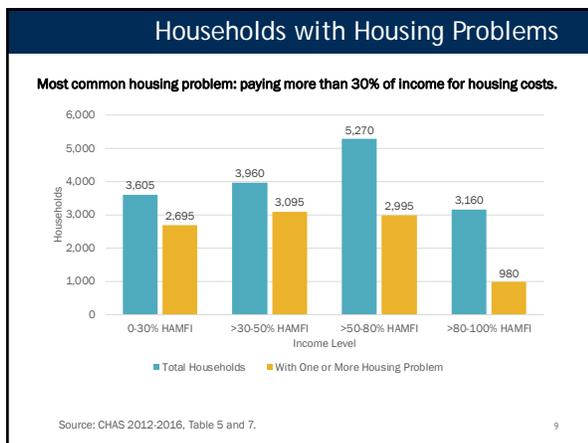


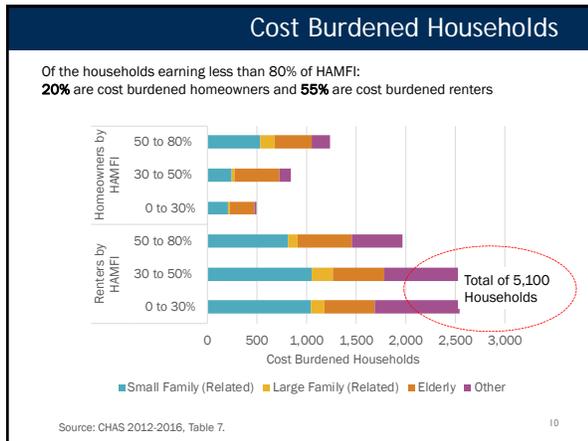


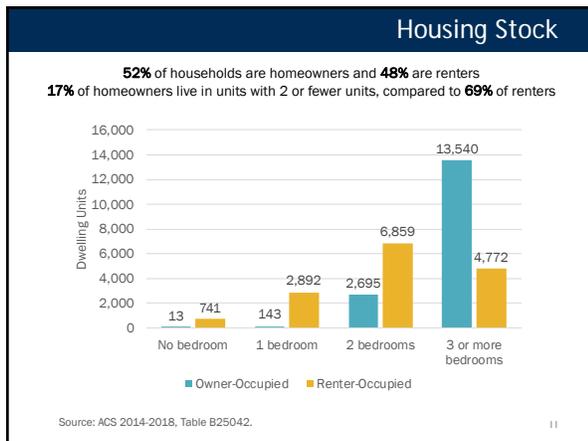




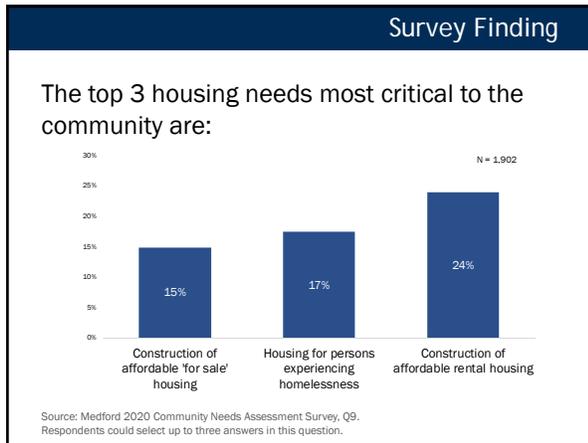


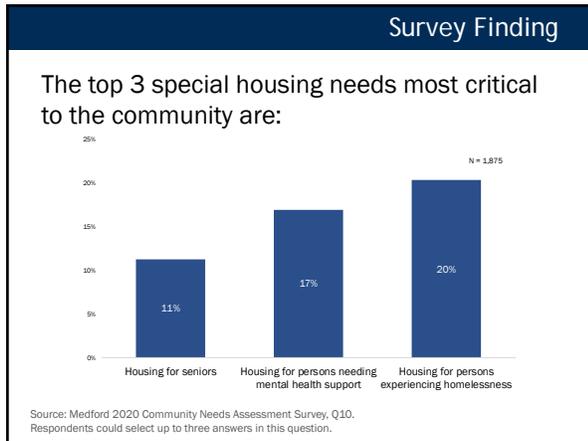


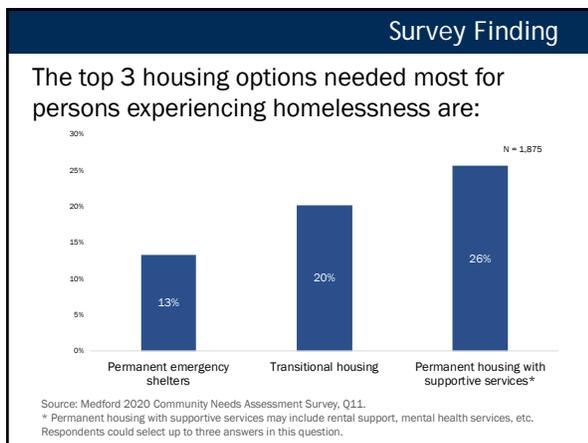


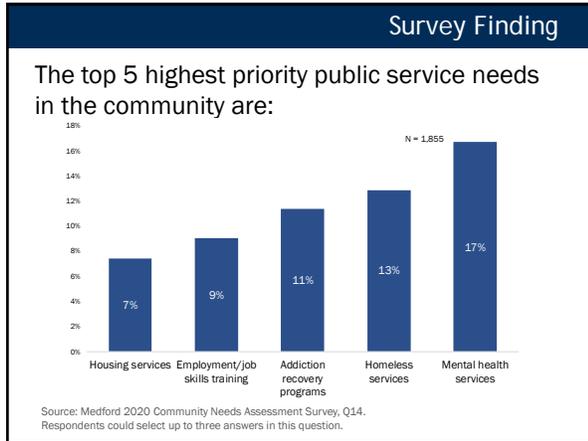


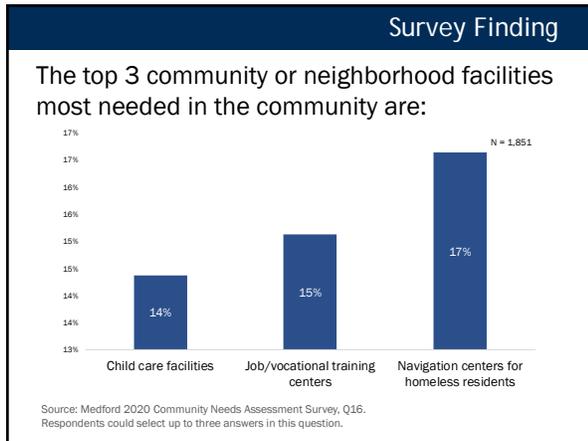
- ### Community Needs Assessment Survey Findings
- 28 survey questions
 - Participation
 - 817 total respondents
 - 698 respondents (85%) lived and/or worked in Medford
 - Survey period: February 18, 2020 through March 9, 2020
- 12











Strategic Plan Framework

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Actions the City has Taken

- Expanded Urban Growth Boundary
- Established streamlined review process for multi-family housing developments
- Amended Land Development Code to implement HB2001 – Middle Housing Provisions
- Implemented Construction Excise Tax

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Actions the City has Taken

- Appointed Housing Advisory Commission and Community Development Grants Commission
- Launched Housing Opportunity Fund
- Implemented homeless actions
- Prioritized and aligned funding
- Secured additional funding

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Goal: Affordable Housing

Expand and Improve Affordable Housing Options

- Wider range of housing types
- Remove barriers to affordable housing development
- Improve the condition and accessibility of housing
- Implement incentives
- Focus housing in Downtown and Liberty Park Neighborhood

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Goal: Homeless Services and Housing

Support and Strengthen Homeless Services and Housing

- Supply of affordable and supportive housing
- Leadership, Collaboration and Funding
- Resources for homelessness prevention
- Funding for households at-risk of homelessness

22

Goal: Self-Sufficiency

Increase Opportunities for Low- to Moderate-Income and Special Needs Residents to Become Self-Sustaining

- Assistance for residents in need
- Mental health assistance
- Substance use assistance
- Seniors and youth
- Childcare or workforce readiness

23

Goal: Neighborhood Revitalization

Improve Quality of Life through Neighborhood Revitalization

- Promote a community-wide culture of inclusion
- Repair and improve public infrastructure
- Neighborhood facilities
- Enforce city codes

24

Goal: Economic Development

Promote Community and Economic Development Efforts that Support Economic Stability

- Collaborations with partners
- Job training and workforce readiness
- Technical assistance for small businesses
- Increase access to capital

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Next Steps

- Schedule for the Consolidated Plan update:
 - **Today:** Obtain Mayor and Council direction
 - **March 18:** Housing Advisory Commission and Community Development Grants Commission joint study session
 - **Beginning on April 7:** A 30-day public comment period
 - **May 7:** Presentation and public hearing to Council
 - **May 15:** Submit Plan to HUD

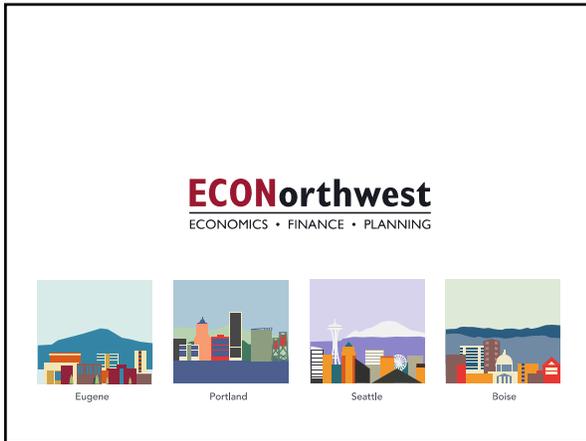
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Council Direction

Staff is seeking direction on:

- The proposed approach for completion of the 2020-2040 Consolidated Plan
- Key goals and strategies for the 2020-2040 Consolidated Plan

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Recent Policy Research and Planning Efforts

- Medford City Council 2019-2021 Goals
- Homeless System Action Plan
- Continuum of Care Strategic Roadmap
- Community Health Improvement Plan
- Liberty Park Neighborhood Plan
- Medford Downtown and Residential Market Analysis
- Center City Revitalization Plan
- Public Housing Authority 5-Year Plan

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Outdoor Hemp Production & Other Regulatory Changes

City Council Study Session
March 12, 2020

Carla Angeli Paladino



Council Direction

- Is Council interested in staff pursuing code amendments associated with hemp-related activities?



Presentation Outline

- Background
- Proposal Considerations
- Council Direction



Background



What is Hemp?

- Cannabis Sativa L.
- Chemical Compounds
- Products/Goods



Hemp 101

- 2018 Farm Bill
- Oregon Dept. of Agriculture
- Jackson County



Medford Regulations

- Agricultural Use
- Permitted to be grown outdoors in the Industrial Zones
- No outdoor grows currently exist*



*Based on review of State records approved as of 3-5-2020

caplanet.com

Medford Regulations

- Processing
- Wholesale
- Laboratories
- Other uses



mtpr.org

okcounfarm.com

healthymd.org

Proposal Considerations



Potential Code Changes (Outdoor Production)

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
011	Cash Grains	X*	X*	X*	X*	X*	X	X	X
013	Field Crops, Except Cash Grains	X*	X*	X*	X*	X*1	P X*	P X*	P X*
016	Vegetables & Melons	X*	X*	X*	X*	X*1	P X*	P X*	P X*
017	Fruits & Tree Nuts	X*	X*	X*	X*	X*	P X*	P X*	P X*
018	Horticultural Specialties	X*	X*	X*	X*	X*	P X*	P X*	P X*
019	General Farms, Primarily Crops	X*	X*	X*	X*	X*	P X*	P X*	P X*

X= Prohibited
* = Permitted when w/i Exclusive Agricultural overlay



Potential Code Changes (Other Uses)

Section 10.337 Uses Permitted in Commercial and Industrial Zoning Districts

006	Industrial Hemp-related business		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
0062	Processing 205-207			X	X	X	X	Ps	Ps	Ps
0063	Wholesale 512, 516, 519			X	X	X	X	Ps	Ps	Ps
0064	Laboratory 873			Ps	X	Ps	Ps	Ps	X	X

*Ps = Special Use (see Special Use Regulations).
*X = Uses specifically prohibited.

See section 10.839 for special use regulations on marijuana-related and industrial hemp-related businesses.



Next Steps (if directed by Council)



Project Tasks

- Research
- Discuss options with Legal Staff
- Draft Language
- Hearing Schedule (Summer/Fall 2020)



Council Direction

- Is Council interested in staff pursuing code amendments associated with hemp-related activities?



Blogspot.com



THANK YOU

City of Medford | Planning
411 W. 6th Street, Medford, OR 97501



PRESENTATION OUTLINE

State Fire Code Adoption and Municipal Code Amendments

- 2019 Oregon Fire Code
- Municipal Code Amendments
- Permit and Services Fee Schedule
- Questions, Input, Direction



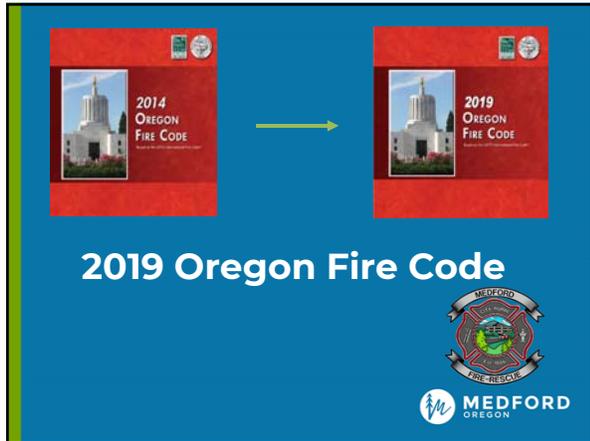
STAKEHOLDER INPUT

Information Sent to Stakeholders January 14, 2020

- Architects/Designers
- Builders
- Fire Protection System Contractors

Also sent out to Rogue Valley Association of Realtors





2019 Oregon Fire Code

MEDFORD OREGON

This graphic shows the transition from the 2014 Oregon Fire Code to the 2019 Oregon Fire Code. It features two book covers: the 2014 version on the left and the 2019 version on the right, with a yellow arrow pointing from the older to the newer code. The 2019 cover includes the Oregon state seal and the Medford logo. The background is blue with a green vertical bar on the left.

2019 OREGON FIRE CODE

2019 OFC based on the 2018 International Fire Code with Oregon Amendments



2019 OREGON FIRE CODE

MEDFORD OREGON

This graphic illustrates the basis of the 2019 Oregon Fire Code. It shows the 2018 International Fire Code (IFC) cover on the left and the 2019 Oregon Fire Code cover on the right, connected by a green arrow. The 2019 cover features the Oregon state seal and the Medford logo. The background is white with a blue footer containing the Medford logo.

2019 OREGON FIRE CODE

Code Change Highlights – New Sections

- Processing and Extraction Facilities (New chapter)
- Crowd Managers (Modified)
- Enhanced Security Measures Classroom Doors (New)
- Outdoor Pallet Storage (New)



MEDFORD OREGON

This slide lists new code sections in the 2019 Oregon Fire Code. It includes a bulleted list of changes: Processing and Extraction Facilities (New chapter), Crowd Managers (Modified), Enhanced Security Measures Classroom Doors (New), and Outdoor Pallet Storage (New). Two photographs are included: one showing industrial processing and extraction equipment, and another showing stacks of outdoor pallet storage. The Medford logo is in the bottom right corner.

2019 OREGON FIRE CODE

Code Change Highlights – New Sections

- Fire Watch During Construction (New section)
- Energy Systems (New chapter)
- CO² Enrichments Systems (New section)
- Indoor Trade Shows and Exhibitions (New appendix)



Medford Municipal Code Amendments



CATEGORIES of AMENDMENTS

- Updating Code References
- Relocating Sections
- Improving and Clarifying Language
- New Language



OUTSIDE BURNING

Section 5.550 – Outside Burning

- Add Outdoor Recreational Fire Language at Residential Properties
- Add Language about Prohibition of Burning Certain Materials



INCIDENT COST RECOVERY

Section 7.210 – Fire Suppression and Hazardous Material Response Charges

- Intentionally Set Fires
- Suppressing Fires in Unprotected Areas
- Hazardous Material Responses



VEGETATION FIRE HAZARD

Section 7.430 – Nuisance Described: Offense Punishable

- Add language to reference Oregon Department of Forestry fire danger levels
- Add language about mitigating dry vegetation based on the size of the property and the proximity to improved structures



Permit and Services Fee Schedule




FIRE CODE PERMITS



Existing

- Automatic fire extinguishing systems
- Battery systems
- Compressed gases
- Covered mall uses
- Exhibits and trade shows
- Explosives
- Fire alarm and detection systems
- Fire pumps
- Fireworks - Agricultural
- Fireworks - Public Display
- Fireworks - Retail sales
- Flammable and combustible liquids
- Fumigations
- Hazardous materials
- Industrial ovens
- Liquid or gas-fueled vehicle display
- LP gas
- Open burning
- Places of Assembly
- Private fire hydrants
- Pyrotechnic special effect materials
- Spraying or dipping
- Standpipe systems
- Temporary membrane structures



FIRE CODE PERMITS



Added

- Aerosol products
- Amusement buildings
- Carnivals and fairs
- Combustible fibers
- Electrified fences
- Emergency responder radio coverage
- Gas detection systems
- High-piled storage
- Miscellaneous combustible storage
- Mobile food preparation vehicles
- Outdoor assembly events
- Plant extraction systems
- Pyrotechnic special event material
- Shelters - Severe event
- Shelters - Temporary
- Smoke control or smoke exhaust systems
- Special event structures



REVISED FEE SCHEDULE

Permit Fees

- \$75 permits increase to \$100; Some \$100 permits increase to \$150

Other Service Fees

- After-hours Inspections
- Excessive Inspections
- Standby Fire Personnel for Events
- Fire Extinguisher Training
- Fire Suppression and Investigation Charges - Illegal Fires

