

Code Enforcement Report
July 2011

We are in the height of our tourist season. I hope our lodging establishments; restaurants and other business are doing well.

The two items I am spending most of my time on are business licenses and transient rental complaints.

The fair weather allows long-delayed projects, whether it is painting, repairs, remodel, re-roofing or new construction Contractors are busy after a long, wet winter and spring, let alone the slow down in our whole economy.

That means, however, that many of our local contractors that are known and have a City Business license are booked. Property owners keep calling around until they find an available contractor.

Though individual City Business Licenses are required in most cities, not every contractor checks in with the City to find out about regulations. They get a call, make a bid, get the contract, do the job and then on to the next job, most likely in another City.

The City Business License fee is minimal, \$40 per year, prorated now to \$20 to the end of the year. It does offer some protection for our property owners in that scammers will most likely pass over the job, if this licensing is required. You can do your part by asking the contractor if he has a City Business License. State and other City or County Licenses do not qualify.

It is a rather painless procedure, but does give the City some basic information to protect our citizens from fraud and faulty work.

A second issue, at this time of year, is problems at some of our vacation rentals. Most of the vacation rentals create no problems. People come and go and there are "new" neighbors every weekend. This does have a detrimental effect on neighborhoods, but these guests are respectful of property and residents.

We do have situations where the rental agency or property owner are on the web and advertising way more occupancy than is allowed by the Transient Rental Permit and Ordinance.

I have started monitoring these sites and contacting the agencies to correct their occupancy levels. A three-bedroom house has a maximum occupancy limit of eight. The Ordinance and permit read two per bedroom, plus two. I have seen some Internet ads claiming 18+ occupancy for a four-bedroom house. Maximum would be ten.

The related problem to this is the number of vehicles parked on the property or City right of way. I did my rounds on Sunday, July 17 and photographed six incidents of non-

compliance in parking issues only. I can only assume that occupancy limits were also breached. Agencies and property owners are being notified. I have received several formal complaints regarding this issue and they are being followed up.

The Vacation Rental / Transient Rental issue needs public discussion. I have inspected several more applicants this month.

This is not unique to Yachats. The issue is being faced up and down the coast. It is a delicate balance between private property rights and commercial use in a residential zone.

Much discussion and deliberation went into coming up with the regulations we have for transient rentals in residential zones, some 20 years ago. People invested in properties here in Yachats as future retirement homes. They chose locations that suited their lifestyle and wishes. They did not anticipate a revolving motel next door to them.

It is not in my jurisdiction, but it sure has been a concern. I have notified the proper authorities when the issue reached an intolerable level. A resident that I have had frequent contact with, finally crossed that line. He threatened several residents while driving his car, including me. We all had to take evasive action from being hit.

This has been an eroding situation since last October. Enough citizens made calls to the Sheriff's office to give them cause to arrest him. He is under mental evaluation and still in their custody.

There will be a Grand Jury hearing, if he is found mentally competent to attend and defend himself.

This is one of those ongoing situations, where you have sympathy for the individual, absolutely no resources to deal with his situation and fear that some innocent might be hurt or killed on one of his mad drives. I watched it daily.

This is another where citizens have a voice. The Sheriff's Deputies do make regular "visits" to Yachats, but we don't have a regular patrol. They are on call and my experience is they respond ASAP.

I know people don't want to get involved, especially with authorities, but if you see something that you know is not right, call the Sheriff. At least there will be a report and it might be tied into past or future acts.

We do look after each other here, by nature and circumstance.

Donald W. Niskanen
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City of Yachats