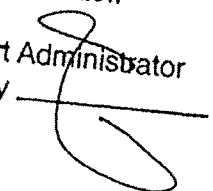


IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLATSOP

RECEIVED AND FILED
CLATSOP COUNTY COURT

MAY - 4 2017

Trial Court Administrator
Docketed By 

J SARAH NEBEKER; NAOMI JOY
SIGLER; and BRIAN LEWIS SIGLER, in
their capacities as Chief Petitioners,

Petitioners,

vs.

THE CITY OF GEARHART, OREGON and
PETER WATTS, in his capacity as City
Attorney for the City of Gearhart, Oregon,

Respondents.

CASE NO. 17CV14946

ORDER RE: PETITION TO CHALLENGE
BALLOT TITLE FOR CITY INITIATIVE
MEASURE - ORS 250.296

Upon review pursuant to ORS 250.296(1), the Court in the above entitled proceedings certifies the following ballot title for the City of Gearhart Initiative Petition entitled "Gearhart Vacation Rental Ordinance" which meets the requirements set out in ORS 250.035:

CAPTION

Repeals and Replaces Gearhart's Vacation Rental Dwellings Ordinance.

QUESTION

Shall Gearhart's Vacation Rental Dwellings Ordinance Be Repealed and Replaced?

SUMMARY

If approved, the Ordinance would:

- Require \$600.00 annual permit fees dedicated to police and fire departments;
- Permit transfers to new dwelling unit owners;
- Change maximum occupancy from two persons over 2 years old per bedroom to two persons over 12 years old per bedroom, plus three additional people over 12 per dwelling unit, no limit on children under 12;
- Repeal ordinances imposing special regulations on Vacation Rental Dwellings related to off-street parking, residential appearance, garbage service, septic sewer capacity inspections and cesspool prohibitions.
- Require compliance with Gearhart City ordinances that apply generally to all residential dwelling units;
- Eliminate requirement that a 24-hour representative be able to physically respond to the site within 30 minutes;

Allow safety inspections to be conducted by any licensed home inspector;
Make dwelling unit owners responsible for self-reporting inspection issues, and provide a six month cure period, for any deficiencies;
Remove current limitation on the number of Vacation Rentals;
Require public vote for amendment of the Vacation Rental Ordinance or any subsequent ordinance relating to Vacation Rentals.

DATED this 4th day of May, 2017.



DAWN M. McINTOSH
CIRCUIT COURT JUDGE