



Council Business Meeting Agenda

ASHLAND CITY COUNCIL BUSINESS MEETING AGENDA

Tuesday, September 16, 2025

Council Chambers, 1175 E Main Street

Live stream via RVTV Prime at rvtv.sou.edu or broadcast on Spectrum 180.

Public comment is welcome on public forum topics and agenda items.

To **speak electronically** during the meeting or to submit **written comments** in advance, please complete the online [Public Comment Form](#) by 10 a.m. the day of the meeting.

I. EXECUTIVE SESSION 5:00 p.m.

To conduct deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660 (2)(e).

II. BUSINESS MEETING CALL TO ORDER 6:00 p.m.

- a. Land Acknowledgement**

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. MAYOR'S / CHAIR OF THE COUNCIL ANNOUNCEMENT

- a. The Public Hearing and First Reading of Ordinance 3272 relating to 1511 Highway 99 - Planning Action #PA-T3—2024-00011 which was postponed from the Aug. 19 meeting is continued to November 4th, 2025.

VI. APPROVAL OF MINUTES

- a. Minutes of the August 18, 2025 – Study Session Meeting
- b. Minutes of the August 19, 2025 - Business Meeting

VII. CONSENT AGENDA

- a. City Council Fall Retreat
- b. Public Art Award Selection – Traffic Signal Box project
- c. Advisory Committee Member Appointment
- d. Liquor License Application Approval

VIII. SPECIAL PRESENTATIONS

IX. PUBLIC FORUM

15 minutes – Public input or comment on City business not included on the agenda

X. PUBLIC HEARING

- a. Public Hearing and First Reading of Ordinance 3273: An Ordinance Amending the Enhanced Law Enforcement Expulsion Process as Outlined in AMC 10.120

XI. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Resolution 2025-26 A Resolution Amending the Fiscal Year 2026 Miscellaneous Fees and Charges Schedule

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. CITY MANAGER REPORT



Council Business Meeting Agenda

a. September Report

XV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

XVI. ADJOURNMENT

If you need special assistance to participate in this meeting, please contact Alissa Kolodzinski at recorder@ashlandoregon.gov or 541.488.5307 (TTY phone number 1.800.735.2900). Notification at least three business days before the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting in compliance with the Americans with Disabilities Act.

* Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.(D)(3)]

** LAND ACKNOWLEDGEMENT

We acknowledge and honor the aboriginal people on whose ancestral homelands we work—the Ikirakutsum Band of the Shasta Nation, as well as the diverse and vibrant Native communities who make their home here today. We honor the first stewards in the Rogue Valley and the lands we love and depend on: Tribes with ancestral lands in and surrounding the geography of the Ashland Watershed include the original past, present and future indigenous inhabitants of the Shasta, Takelma, and Athabaskan people. We also recognize and acknowledge the Shasta village of K'wakhakha - "Where the Crow Lights" - that is now the Ashland City Plaza.

***Agendas and minutes for City of Ashland Council, Commission and Committee meetings may be found at the City website, ashlandoregon.gov.

**ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
Monday, August 18, 2025**

Mayor Graham called the meeting to order at 5:30 p.m.

Council Present: Mayor Graham, Councilors Bloom, Dahle, DuQuenne, Hansen, Kaplan, and Sherrell

Council Absent: none

Staff Present:

Sabrina Cotta	City Manager
Alissa Kolodzinski	City Recorder
Chad Sabotka	AFN Operations Manager
Marianne Berry	Finance Director
Rocky Houston	Parks and Recreation Director

I. Call to Order

II. Reports and Presentations

a. Ashland Fiber Network Business Plan Update

Cotta introduced the item as a follow up to a previous meeting. Berry and Sabotka presented an update on the business plan for Ashland Fiber Network (AFN) (presentation attached). The technical differences between the network technologies were explained: DOCSIS 3.1, G.hn, and PON (Passive Optical Network). The current legacy DOCSIS 3 network is 25 years old and supports only up to 250 Mbps download and 30 Mbps upload. A hybrid implementation approach was proposed, leveraging DOCSIS 3.1 to deliver gigabit speeds using existing coaxial infrastructure while strategically deploying PON in new developments and other targeted areas. The DOCSIS 3.1 upgrade would enable AFN to offer fiber-like speeds of 1 gigabit per second symmetrically (both download and upload) by replacing the 25-year-old active devices with new state-of-the-art equipment. It was expressed that reviewing the business plan earlier in the year revealed that implementing PON citywide would be too capital-intensive at approximately \$15 million over two years. Instead, a hybrid approach of DOCSIS 3.1 and targeted PON deployment would allow AFN to provide gigabit internet to 90% of Ashland within existing cash flow capabilities. The capital plan for the current biennium includes a budget of \$2.4 million, with \$1.75 million allocated to DOCSIS 3.1 upgrades and plans for continued expansion of PON and bucket truck acquisition. For future biennia, the capital plan projected approximately \$4.8 to \$5.8 million in additional investments.

The Council discussed whether the plan offered a competitive advantage for attracting enterprise customers. It was confirmed that AFN is focusing on downtown corridors for business, yet 90% of Ashland's electric meters are residential, making residential customers key. Inquiries about new housing developments confirmed that 100% PON implementation could happen in areas such as Caldera Oaks, Midtown Lofts, and Beach Creek subdivision. Questions arose concerning funding sources, marketing plans, and staffing, and it was clarified that funding would derive from the AFN enterprise fund's existing balance and operating revenues, not the general fund. Staffing will gradually increase, with 0.5 FTE already added and more planned for future years. Overall, the plan leverages

the strengths of the existing technology and explores strategic upgrades to maintain competitiveness in both residential and business markets.

AFN's achievement of capturing a 50% market share in Midtown Lofts was highlighted as impressive, even without marketing efforts, given that competitors had already installed their equipment in advance. The plan's dependence on internal funds, including the contingency fund, and not external financing, was confirmed alongside being debt-free. It was noted that capital spending elements were adjusted for potential tariffs and that additional funds would first come from material and services transfers, resorting to a contingency draw if necessary.

The Council reached a general consensus supporting the hybrid approach and acknowledged potential future budget supplemental needs to allocate funding within the AFN fund. It was confirmed that AFN can proceed with the \$1,600,000 appropriation to roll out the hybrid expansion program of DOCSIS 3.1 and PON, with a mid-biennium review planned to assess the necessity of a budget supplemental.

b. East Main Park Update

Houston presented an update on the East Main Park project, explaining that the approved design from 2022 included a parking lot off East Main Street, dog parks, a pump track, skills park, restroom, playground, nature play area, sports court, trail system, and community garden. Since then, the projected cost had risen to over \$5.5 million, substantially higher than the \$2.5 million budgeted, and requiring project phasing. Phase One would focus on the pump track (which has a \$1 million grant associated with it), parking lot, dog park, restroom, and a connecting trail.

The Phase One cost estimate had subsequently increased from \$2.5 million to \$3 million, and presented several options to address the shortfall:

- Reduce scope by eliminating or modifying restrooms or parking lot.
- Increase funding by using reserves, removing other planned projects, or seeking additional grants.
- Request a code change and revise the project to change access point from East Main to Abbott.
- Apply for a variance from street improvement requirements.

A public meeting was held the previous week with 78 attendees who expressed strong support for maintaining the original design and spoke that the Parks Commission would be reviewing options at their upcoming meetings on September 3rd and 10th.

Concerns were raised about escalating costs due to inflation and possible tariffs. Exploring variance options under AMC 18.5.0.5.05 was discussed as a way to proceed with the park without completing street improvements, aligning the project closer to budget. Although road improvements were estimated initially, they were not detailed early in the planning, resulting in a budgeting oversight. Separating street improvements from the park project, possibly through a Local Improvement District, was considered to ease financial strain while potentially enhancing safety and encouraging development in the area by improving road infrastructure, though such improvements are expensive.

Meeting Extended by 30 minutes by unanimous agreement.

Public comment was received from citizens who expressed concern about safety for older residents and children regarding the pump track, support for the original concept, concern about funding and potential impacts on the neighborhood, and questioned whether the park would serve the immediate neighborhood or rather attract visitors from throughout Jackson County.

It was clarified that while many bike enthusiasts attended the public meeting, there were also many residents from the neighborhood present. Further clarification was provided that this was planned as a community park rather than a neighborhood park, designed to serve both the immediate area and the broader community, like Garfield Park with its splash pad.

The Council discussed further and acknowledged the complicated nature of the project and the difficulty in predicting costs in the current economic environment and looked forward to the Parks Commission recommendation.

III. Adjournment of Study Session

The meeting was adjourned at 7:24 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



Study Session

AFN Pilot Program
Business Plan Update
August 18, 2025

City of Ashland

Need Council to provide guidance and approval
of next steps for AFN Pilot Program and
confirm Fiber Expansion Plan.

Last time topic was presented:

- April 3, 2023: AFN Business and Technology Planning Presentation
- January 16, 2024: Approval of GPON (Gigabit Passive Optical Network) vendor
- April 30, 2025: AFN Budget Summary
- June 2, 2025: Next Gen Fiber Pilot Project Update



Technology Snapshot



	Download/ Upload Speeds	Installation Type	Installation Cost	Installation Time	Customers per Unit	Best For
DOCSIS 3.0	~250 Mbps / ~30 Mbps	Coax	-	-	Unlimited (impact on speeds)	Emails, Facebook
DOCSIS 3.1	1,000 Mbps / ~1,000 Mbps	Coax	\$5 million (citywide)	Once city block in 1 week	Unlimited (no impact on speeds)	Remote Work, Streaming
G.hn	1,000 Mbps / 1,000 Mbps	Fiber up to the building, coax to customer	\$100,000 (targeted locations only)	One city block in 4 hours	Max 64 customers	High Density Residential or Commercial
PON	2,500 Mbps / 2,500 Mbps	100% Fiber	\$15 million (citywide)	One city block in 2 months	Max 128 customers (recommended 64)	Cloud Computing, Online Gaming (+ Future Proof)

3

Technology Snapshot



	Download/ Upload Speeds	Installation Type	Installation Cost	Installation Time	Customers per Unit	Best For
DOCSIS 3.0	~250 Mbps / ~30 Mbps	Coax	-	-	Unlimited (impact on speeds)	Emails, Facebook
DOCSIS 3.1	1,000 Mbps / ~1,000 Mbps	Coax	\$5 million (citywide)	Once city block in 1 week	Unlimited (no impact on speeds)	Remote Work, Streaming
G.hn	1,000 Mbps / 1,000 Mbps	Fiber up to the building, coax to customer	\$100,000 (targeted locations only)	One city block in 4 hours	Max 64 customers	High Density Residential or Commercial
PON	2,500 Mbps / 2,500 Mbps	100% Fiber	\$15 million (citywide)	One city block in 2 months	Max 128 customers (recommended 64)	Cloud Computing, Online Gaming (+ Future Proof)

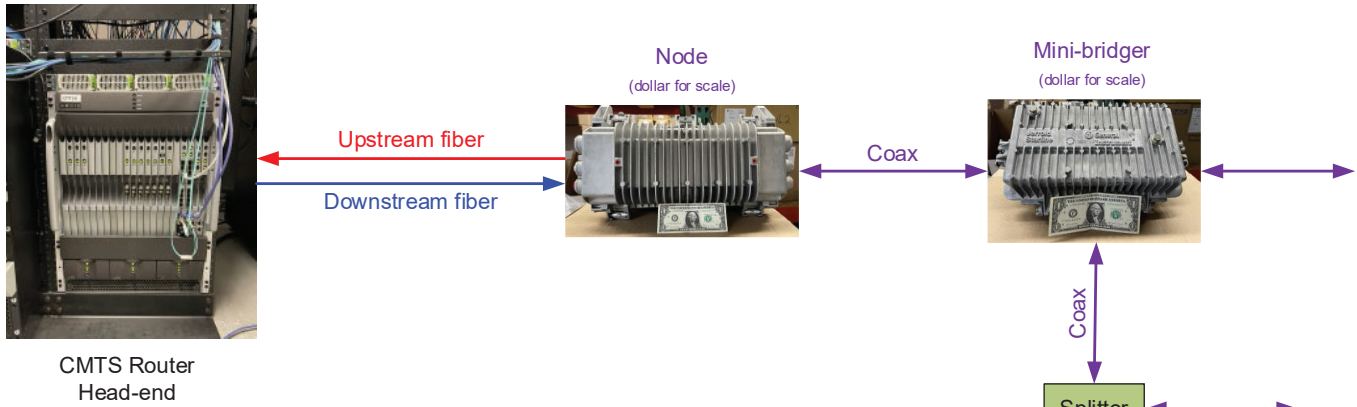
Deployment Strategy

Legacy
system

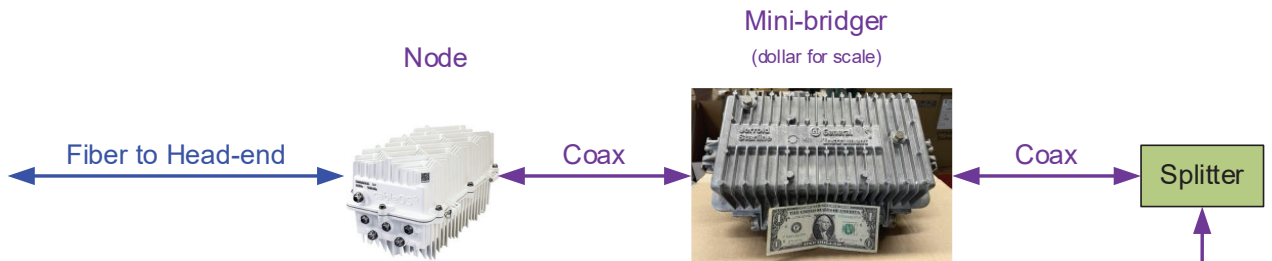
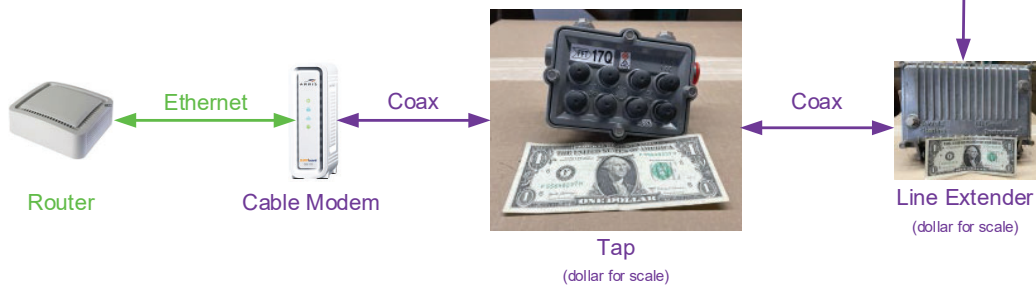
Deploy to
replace
legacy
system

Deploy in areas
w/o existing
infrastructure or
w/ high-bandwidth
demand

4

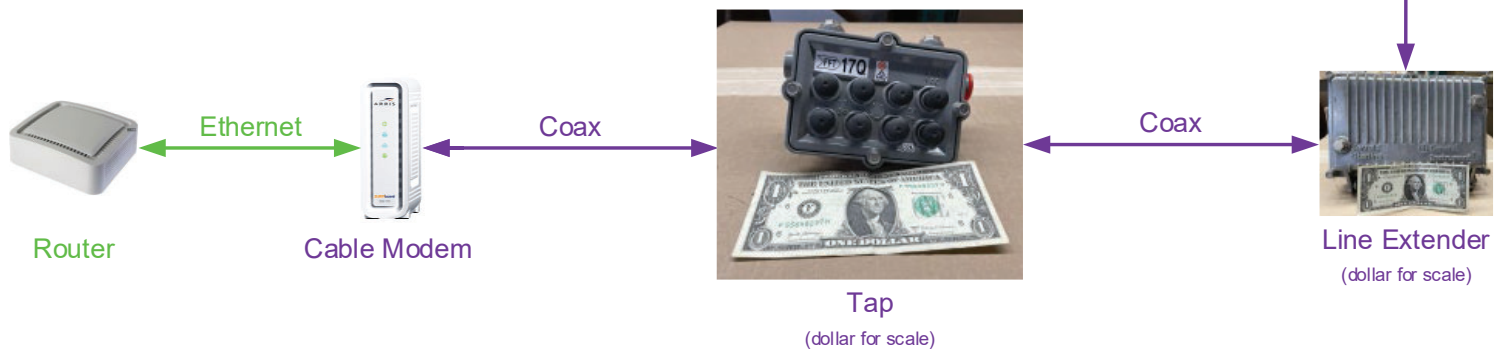


Legacy DOCSIS 3.0

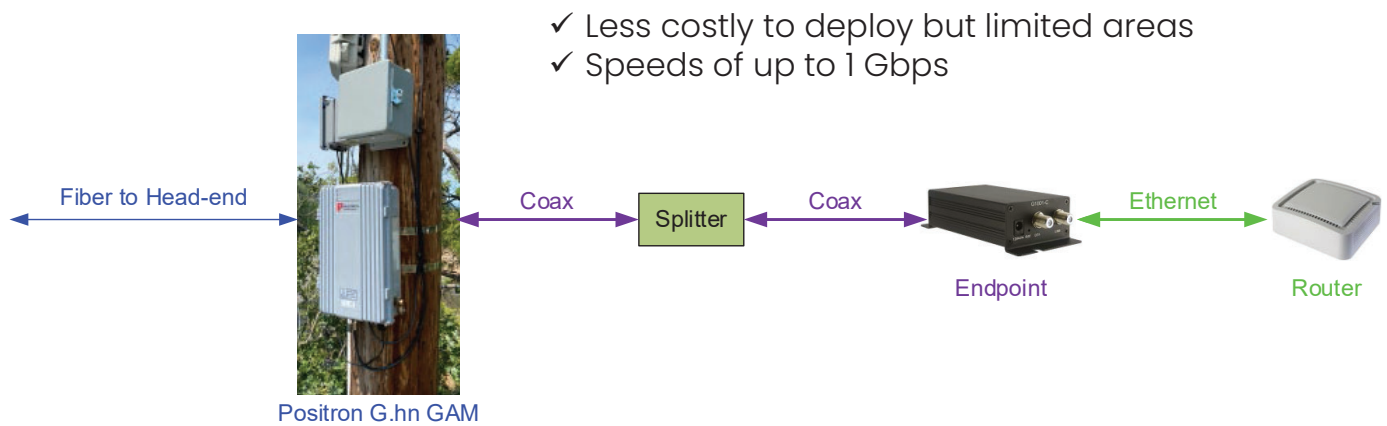


DOCSIS 3.1

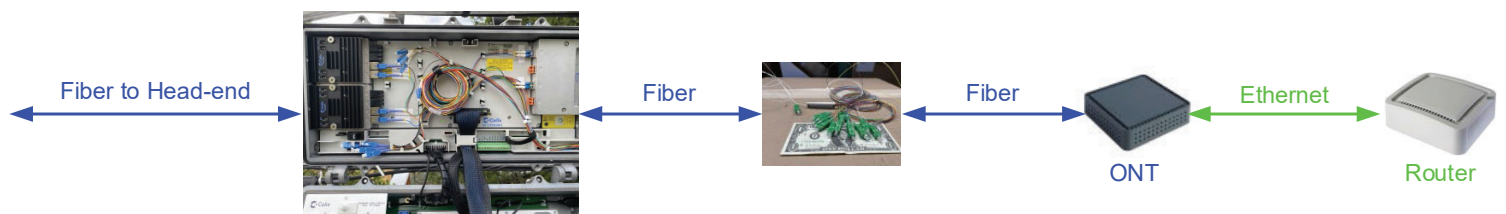
- ✓ Less costly & less time to deploy
- ✓ Speeds of up to 1 Gbps



Gigabit Home Networking (G.hn)



Passive Optical Network (PON)



- ✓ Deployment very costly and takes 8x longer than DOCSIS 3.1
- ✓ Speeds of up to 2.5 Gbps
- ✓ Future-proof technology

AFN Capital Plan BN 25-27

CapEx Summary

Currently in budget	\$ 1,649,491
Requesting additional - Contingency draw	163,844
Requesting additional - M&S Transfer	563,156
Total Need	\$ 2,376,491

Capital Spending

Docsis 3.1 Upgrade	1,750,000
PON Fiber Expansion	190,000
Cable Modems	225,000
Bucket Truck + Maintenance	140,000
Rebranding & Target Marketing	70,000

Total capital expenditures **\$ 2,375,000**

Goals:

- Provide Gigabit speed service to **90%** of Ashland by 2033, **60%** by 2027.
- Capture **55-60%** of market share by 2033
- Reach 50/50 split between PON/DOCSIS 3.1 by 2033; fuller PON deployment 2029 and beyond



9

AFN Net Position Forecast Model

updated: 18-Aug-25

Year #	BN 23-25		BN 25-27		BN 27-29		BN 29-31		BN 31-33		
Fiscal Year Ending June 30,	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Subscribers	4,075	4,250	4,313	4,563	4,963	5,363	5,713	6,013	6,313	6,613	6,913
Increase		175	63	250	400	400	350	300	300	300	300
Average Rate		\$55	\$55	\$55	\$55	\$56	\$57	\$58	\$60	\$61	\$62
Market Share	12,500	34%	35%	37%	40%	43%	46%	48%	51%	53%	55%
Gigabit Coverage (3.1, G.hn, PON)			20%		60%						90%
Inflationary escalator				0%	0%	2%	2%	2%	2%	2%	2%
Estimated Revenue	\$ 2,805,000	\$ 2,846,580	\$ 3,011,580	\$ 3,275,580	\$ 3,610,372	\$ 3,922,911	\$ 4,211,489	\$ 4,510,040	\$ 4,818,849	\$ 5,138,206	
Financial Forecast											
Actual/Forecasted Revenue	\$ 2,789,598	\$ 2,799,594	\$ 3,060,390	\$ 3,075,391	\$ 3,610,372	\$ 3,922,911	\$ 4,211,489	\$ 4,510,040	\$ 4,818,849	\$ 5,138,206	
Interest from Investments	142,511	132,733	110,000	100,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000
Actual/Forecasted Expenditures											
Personnel Costs* 33%	847,016	951,365	1,159,709	1,207,093	1,227,165	1,333,398	1,431,485	1,532,963	1,637,927	1,746,476	
Added Personnel**				116,250	359,213	369,989	381,089	392,521	404,297	416,426	
Materials & Services 45%	1,252,332	1,358,651	1,175,397	1,192,285	1,624,667	1,765,310	1,895,170	2,029,518	2,168,482	2,312,193	
Capital Outlay (actual/adopted)	337,802	288,467	980,344	669,147							
Capital Outlay proposed***			363,500	363,500	1,000,000	800,000	800,000	800,000	800,000	800,000	
Debt	517,445	517,445	-	-	-	-	-	-	-	-	-
Contingency											
Total Expenditures	2,954,595	3,115,928	3,678,950	3,548,275	4,211,045	4,268,697	4,507,744	4,755,002	5,010,706	5,275,095	
Net Excess / (Deficiency)	(22,486)	(183,601)	(508,560)	(372,884)	(470,673)	(215,785)	(166,255)	(114,962)	(61,857)	(6,889)	
Beginning Fund Balance	3,175,716	3,153,230	2,969,629	2,461,069	2,088,185	1,617,512	1,401,726	1,235,472	1,120,510	1,058,653	1,051,765
Ending Fund Balance	\$ 3,153,230	\$ 2,969,629	\$ 2,461,069	\$ 2,088,185	\$ 1,617,512	\$ 1,401,726	\$ 1,235,472	\$ 1,120,510	\$ 1,058,653	\$ 1,051,765	
Minimum EFB (20% avg exp)				\$ 649,965	\$ 689,544	\$ 762,551	\$ 801,868	\$ 865,832	\$ 902,096	\$ 951,563	
Excess of minimum EFB				\$ 1,438,220	\$ 927,968	\$ 639,175	\$ 433,604	\$ 254,678	\$ 156,557	\$ 100,201	
Total BN 25-27 Budget				\$ 7,274,819							
Contingency				\$ 163,844							
FTE		7.0	7.5	8.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5



10

ASHLAND FIBER NETWORK

A Municipal Broadband Utility

- Supports City Government
 - Franchise fees, internal service delivery, IT/network expertise
- Provides a Public Service
 - Reliable and affordable internet access for residents/businesses
 - Wireless public networks
 - Low-cost hosting for school district, college and larger businesses
 - Assistance programs for low-income residents
- Economic Development Goals
 - Supports remote-work offices & provides low-cost Gigabit high-speed service for businesses in existing and future commerce districts
- Supports City's Emergency Coordination Efforts



QUESTIONS?



Technology Snapshot

Legacy System DOCSIS 3.0	Net Generation Gigabit High Speed Service		
	DOCSIS 3.1	G.hn	PON
	<i>(Data Over Cable Service Interface Specification)</i>	<i>(Gigabit Home Networking)</i>	<i>(Passive Optical Network)</i>
25 years old	Current generation cable system, significantly more reliable than 3.0	Related to DOCSIS 3.1	100% Fiber (future-proof)
Download speeds up to ~250 Mbs	Download speeds ~1,000 Mbs	Download speeds ~ 1000 Mbps	Download speeds ~2,500 Mbps
Upload speeds up to ~30 Mbps	Upload speeds ~1,000 Mbps	Upload speeds ~ 1000 Mbps	Upload speeds ~2,500 Mbps
Limited upgrade options	Brand new active devices (nodes, mini bridgers, line extenders)	Fiber to Bldg, Coax to customer (no drilling)	Does not require electricity
Installation time fast	Significantly more reliable than DOCSIS 3.0	Reliability of fiber, installation speed of coax	Can be easily upgraded
	Installation time is very fast	Max of 64 customers per G.hn GAM	Max 128 customer per port (recommended limit is 64)
	Can support unlimited # of customers at full speed	Fast upgrade time (city block = 4 hrs w/ 30 min downtime)	Customer intallation takes 2X as coax (must drill holes)
	Can support unlimited # of customers at full speed	Primarily multi-dwelling units	Deployment is very expensive and time-consuming



**ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
Tuesday, August 19, 2025**

6:00 PM Business Meeting

Council Present: Mayor Graham, Councilors Bloom, Dahle, DuQuenne, Hansen, Kaplan, and Sherrell.

Council Absent: None

Staff Present:

Sabrina Cotta	City Manager
Johan Pietila	City Attorney
Alissa Kolodzinski	City Recorder
Scott Fleury	Public Works Director
Chris Chambers	Forestry Officer

I. CALL TO ORDER

Graham called the meeting to order at 6:02 p.m.

- a. Land Acknowledgement**

DuQuenne read the land acknowledgement.

- b. Pledge of Allegiance

Dahle led the pledge of allegiance.

II. ROLL CALL

III. MAYOR'S/ CHAIR OF THE COUNCIL ANNOUNCEMENT

Mayor Graham announced two changes on the agenda:

1. The public hearing and first reading of Ordinance 3272 (annexing property and withdrawing an annexed area from Jackson County Fire District #5) would be continued at the applicant's request to September 16, 2025 at 6:00 PM.
2. The second reading and adoption of findings for a Legislative Amendment to the Southern Oregon University Facilities Master Plan (implementing Ordinances 3267, 3268, and 3269) is being amended and will return for a new first reading with those amendments on October 7, 2025.

Graham commented on the enjoyable summer concert series in the park from the previous evening and encouraged residents to check the calendar for upcoming events.

IV. APPROVAL OF MINUTES

- a. Minutes of the August 4, 2025 – Study Session Meeting
- b. Minutes of the August 5, 2025 – Business Meeting

Bloom moved to approve the minutes. Kaplan seconded the motion.

Roll Call Vote: Sherrell, Dahle, Bloom, DuQuenne, Kaplan, and Hansen – YES. Motion passed.

V. CONSENT AGENDA

- a. OLCC Permit Approval
- b. Resolution 2025-25 Supporting the Submission of an Application for a Housing Planning

Assistance Grant by the Rogue Valley Council of Governments

- c. *2200 Ashland St. Facility Ad Hoc, Historic Preservation, and Housing and Human Services Advisory Committee Appointments*

Dahle moved to approve the consent agenda as is. Councilor Bloom seconded the motion.

Roll Call Vote: Dahle, Bloom, DuQuenne, Kaplan, Sherrell and Hansen – YES. Motion passed.

Gratitude was expressed to community members who have stepped forward to serve on the Housing and Human Services Advisory Committee, the Historic Preservation Advisory Committee, and the new Ad Hoc Committee developing a facilities plan for the 2200 Ashland Street project.

VI. SPECIAL PRESENTATIONS

a. Mayor Graham's Visit to Sister City Sviatohirsk, Ukraine

Graham presented an account of her trip to Ukraine in early June to the Cities and Regions Summit in Kyiv (see attached.) Graham described meeting and exchanging gifts with Mayor Volodymyr Rybalkin of Sviatohirsk, Ashland's sister city in the Donetsk Oblast, and the international summit which included President Zelensky's presentation of awards to cities and regions that had been helping Ukraine.

Images were shown of Kyiv's recovery from invasion, noting they had repaired or rebuilt 22,000 out of 30,000 damaged structures in the city. A map of Sviatohirsk's location near Russian-held territory was referred to, explaining the choice not to travel to the sister city due to security concerns. During Graham's stay in Kyiv, she experienced air raid sirens along with witnessing a military funeral procession. Visits were made to war memorials and areas where remnants of the invasion had been preserved as reminders. A Ukrainian flag, given by Mayor Rybalkin, was displayed, which had lined the streets of Sviatohirsk and had remained standing despite Russian attempts to remove them during occupation. The Council plans to display the flag at City Hall.

Representatives from the [Ashland Sviatohirsk Aid Project \(ASAP\)](#) spoke about their efforts. Jim Nagle, president of ASAP, and Ben Stott described the work they had done over the past two years, including fundraising for:

- A dump truck to clear rubble
- A water reprocessing center for drinking water
- A wood pellet machine to create fuel from debris
- Chainsaws to address forest fire damage
- A water truck to transport water
- Efforts to secure an armored vehicle for safer transport of supplies

Councilors expressed appreciation for ASAP's work and Graham's trip, noting how the sister city relationship demonstrates Ashland's commitment to supporting communities in crisis.

VII. PUBLIC FORUM –

Citizens expressed concern regarding the proposed Enhanced Law Enforcement Area (ELEA) ordinance changes, fire safety in the Kestrel Park subdivision, and potential evacuation challenges for vulnerable populations. A citizen claimed the Council violated the City Charter during the budget

process by amending the Citizens Budget Committee's approved budget without a proper public vote. After suspending the rules to allow the City Attorney to respond, Pietila explained how he had responded to the citizen and how the budget process followed proper legal procedures according to state law, budget law and the City's municipal code.

VIII. PUBLIC HEARING

- a. Public Hearing and First Reading of Ordinance 3272: "An ordinance annexing property and withdrawing an annexed area from Jackson County Fire District no. 5. and also repealing ordinances 3215 and 3194 which were the previous annexation approvals in Casita 1 and Casita 2." (1511 Highway 99 - Planning Action #PA-T3-2024-00011)*

(Postponed to September 16 at the applicant's request)

IX. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Second Reading and Adoption of Findings for a Legislative Amendment to the Southern Oregon University Facilities Masterplan and Implementing Ordinances #3267, #3268, and #3269 (#PA-L- 2025-00016)*

(Postponed to October for a first reading to address changes)

- b. Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price*

Cotta introduced the topic, explaining that according to the Council direction, the changes would include features to make it structurally usable as a severe weather shelter and to also include showers, laundry, and storage. The goal is to finish construction in time to open in November for winter weather.

Fleury presented the contract with Outlier Construction Company for the emergency shelter upgrades (see attached presentation). He outlined the timeline from the shelter's acquisition in 2023 through the development of a master plan and design process. The progressive design-build project would upgrade the shelter to meet building code requirements with:

- New restroom facilities with shower
- Laundry facilities
- Fire sprinklers throughout the facility
- ADA access improvements

The design would accommodate 32 overnight occupants plus staff in the main space, with two overflow areas for an additional 22 occupants. Options included a base guaranteed maximum price of about \$856,500, with alternatives for adding new HVAC systems (\$60,600) and/or an underground utility connection for potential future laundry, shower, and restroom hookups (\$30,700).

The council discussed concerns about committing to renovations without a clear operational budget and whether to specify electric rather than natural gas for new HVAC and water heating equipment to comply with the city's climate policies. Councilors also discussed concerns about potential outdoor facilities and questioned how the building would fulfill requirements for opioid settlement funds.

Pietila clarified that the building's use for social services and training would qualify under the opioid settlement fund requirements. After extended discussion, the Council passed guidelines for the facility's operation:

Bloom moved to direct staff to do the following before the building becomes operational: that no shower or laundry trailer will be allowed unless in the event of a citywide emergency; that there will be no camping or outdoor lodging unless with the express permission of the city council; that the selection of service providers for the building must be approved by council; that all access to services will be by appointment only; that property should be fenced and well maintained with additional trees, fire safe landscaping, continuous weed abatement, and routine maintenance to keep the site visually in line with other city facilities; and that before the building is operational, there is a clear operational budget for the expenses the city would be responsible for. DuQuenne seconded the motion.

Roll Call Vote: Dahle, Bloom, DuQuenne, and Sherrell- YES. Kaplan and Hansen- NO. Motion passed.

Then the Council voted on the construction contract:

Hansen moved to approve the contract amendment with Outlier Construction Company for the Emergency Shelter Upgrade Project including alternates #1 & 2 in an amount not to exceed \$947,936. Sherrell seconded the motion.

Roll Call Vote: DuQuenne, Kaplan, Sherrell and Hansen - YES. Bloom and Dahle - NO. Motion passed.

Recess taken until 8:39

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

a. 2025 Ashland Community Wildfire Protection Plan (CWPP)

Cotta introduced the topic which was previously discussed in a July study session. Chris Chambers and Charisse Sydoriak were present to respond to Councilor questions:

- The plan does not include clearcutting as claimed by some community members; the City is committed to the ecological integrity of the Ashland watershed.
- The "climate smart plan" is a planning framework for natural landscapes, likely requiring a future federal administration for implementation.
- The cost estimate of \$80-100 million over 10 years can leverage funds from state, federal, and foundation sources, relying on the wildfire risk reduction fee as a "down payment."
- The original CWPP from 2004 required \$10-12 million but ultimately attracted \$33 million in funding.
- The plan focuses on equity, ensuring socially vulnerable populations have access to assistance for home hardening.
- Addressing potential conflicts between wildfire safety requirements and housing density goals, Ashland's adoption of state building code R327 ensures all new residential construction meets the highest standards for wildfire protection.

During public testimony, citizens urged creative thinking to generate enthusiasm and community support for fire safety and expressed concerns about high-density infill developments creating evacuation challenges. The Executive Director of the Ashland Climate Collaborative expressed support for the plan and announced that the organization was applying for a grant to establish an Ashland Wildfire Resilience Partnership to help implement the CWPP.

The Council discussed the importance of the plan, emphasizing that intelligent housing density can coexist with wildfire protection and that implementation of the CWPP would require community involvement and partnerships.

Bloom moved to approve adoption of the 2025 Ashland Community Wildfire Protection Plan.

Kaplan seconded the motion.

Roll Call Vote: Dahle, Bloom, DuQuenne, Kaplan, Sherrell and Hansen –YES. Motion passed.

CITY MANAGER REPORT – Cotta shared several updates:

- A free webinar on wildfire prepared homes would be held on August 21, 2025
- Culvert work was in progress on Granite Street with temporary bridges in place for trail access
- The city had switched to an e-newsletter format which already had over 900 subscribers in just three weeks
- Planter work was underway downtown, with sidewalks remaining open

XII. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

XIII. ADJOURNMENT

Bloom moved to adjourn. Seconded by DuQuenne

All Ayes. Motion passed.

The meeting was adjourned at 9:29 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



Sister City SVIATOHIRSK

Mayor Tonya Graham's visit to Ukraine – 2025



Kyiv, Ukraine – 2025



Journey to Ukraine

Night train to Kyiv



Kyiv, Ukraine – 2025

3



Gift exchange



Kyiv, Ukraine – 2025

4



Kyiv, Ukraine – 2025

5



Kyiv, Ukraine – 2025

6





Cities & Regions Summit



Kyiv, Ukraine – 2025

9



Sister City Signing Ceremony



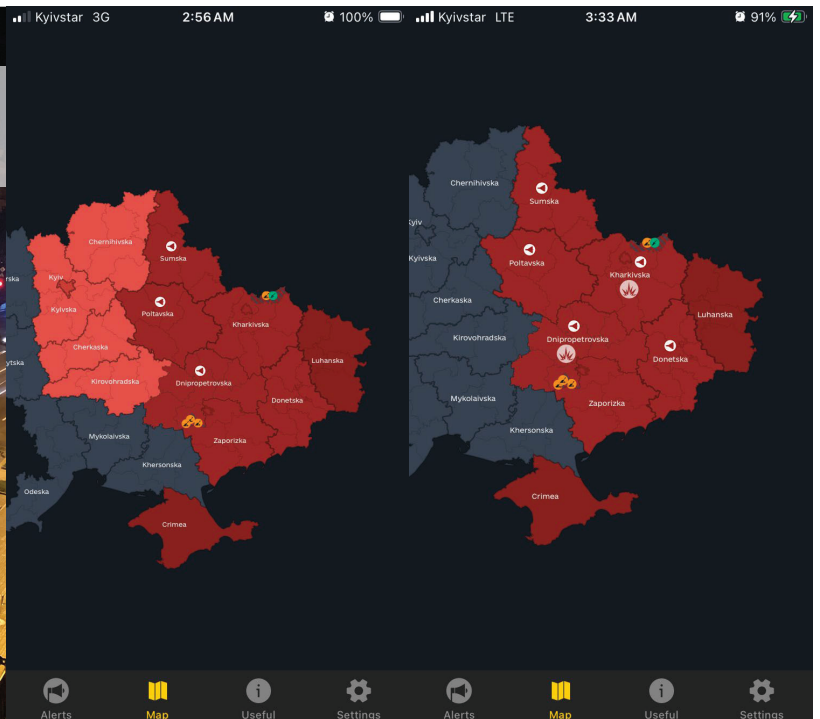
Kyiv, Ukraine – 2025

10



Kyiv, Ukraine – 2025

11



Kyiv, Ukraine – 2025

12

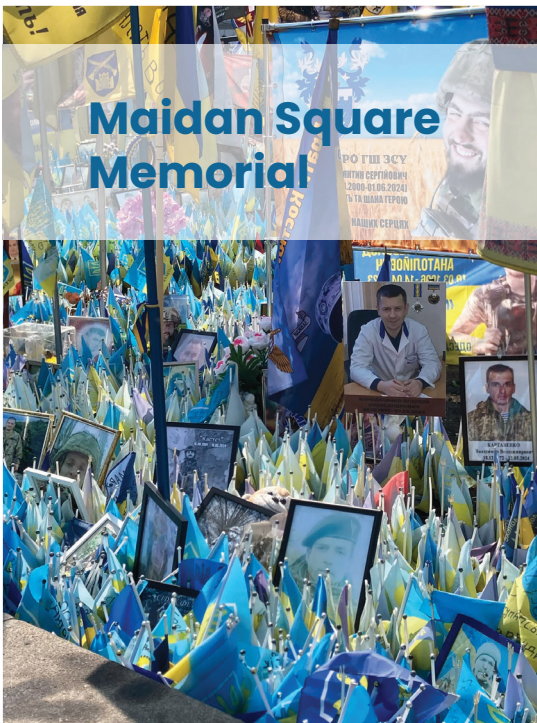
Maidan Square Memorial



Kyiv, Ukraine – 2025

13

Maidan Square Memorial



Kyiv, Ukraine

14



Kyiv, Ukraine – 2025

15

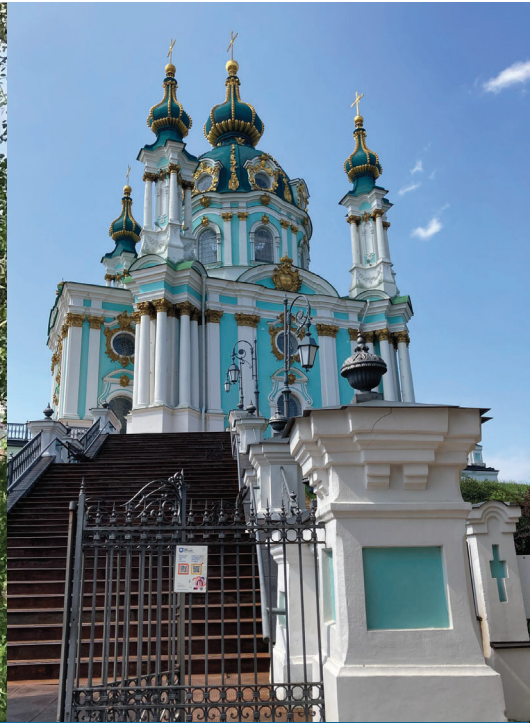


Kyiv, Ukraine

16



Ukraine carries on



Kyiv, Ukraine – 2025



Ukraine carries on



Kyiv, Ukraine – 2025

Ukraine carries on



Kyiv, Ukraine – 2025

19

Ukraine carries on



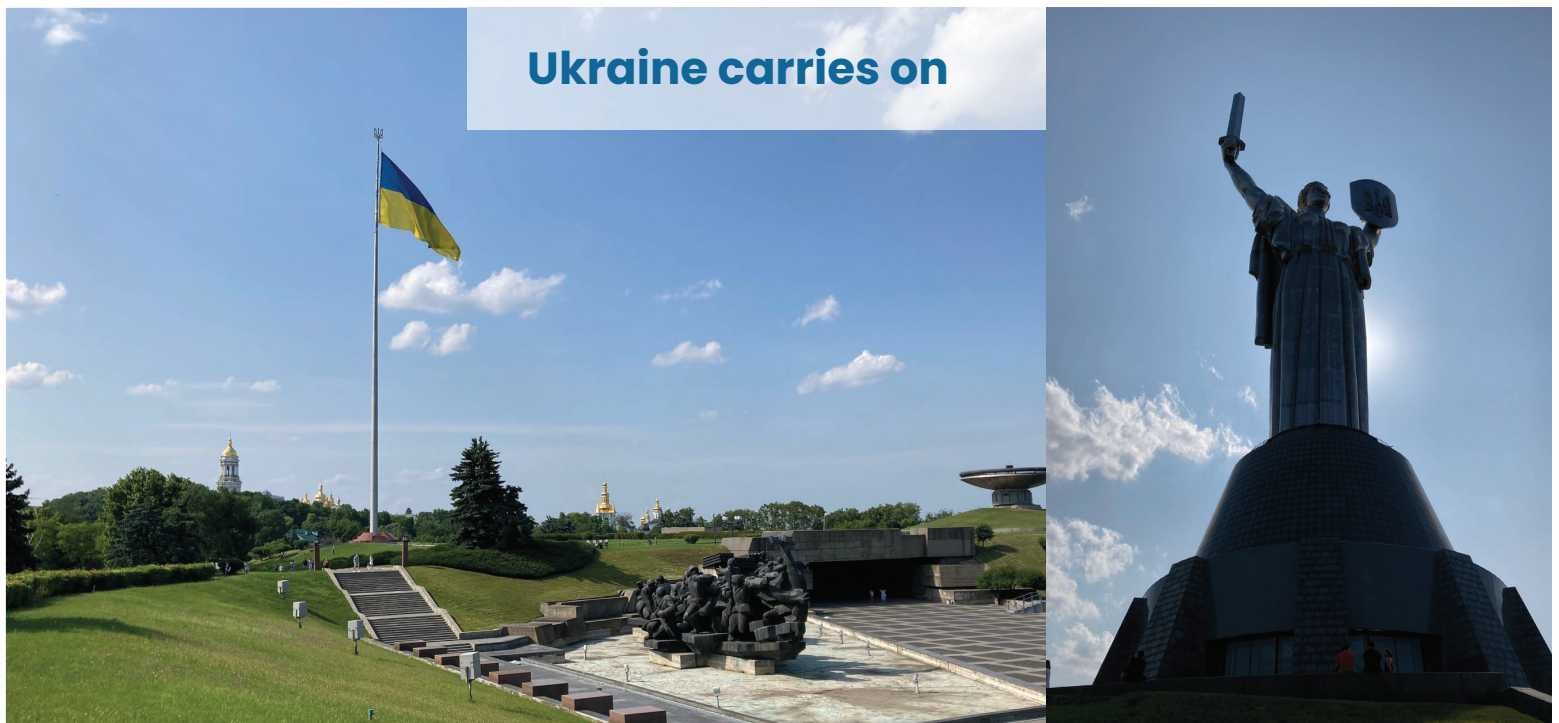
Kyiv, Ukraine – 2025

20



Kyiv, Ukraine – 2025

21



Kyiv, Ukraine – 2025

22

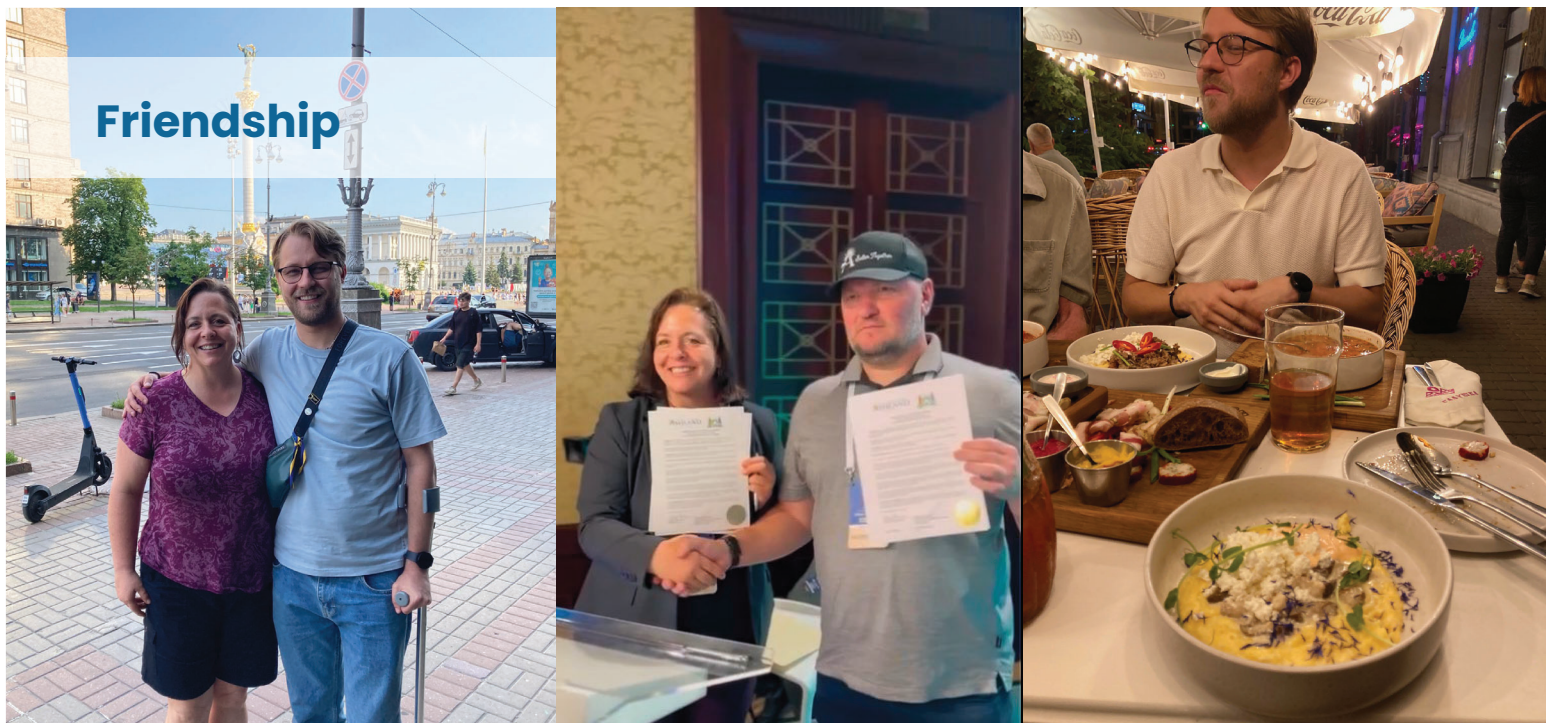
Ukraine carries on



Kyiv, Ukraine – 2025

23

Friendship



Kyiv, Ukraine – 2025

24

Leaving Kyiv



Kyiv, Ukraine – 2025

Heading home



Kyiv, Ukraine – 2025



City Council Meeting

2200 Ashland Street – Emergency Shelter Upgrades August 19, 2025

X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Summary

Before the Council is a request to approve a contract amendment with Outlier Construction that exceeds \$250k.

The amendment outlines the guaranteed maximum construction price for construction improvements to 2200 Ashland Street.

Outlier Construction and subconsultant Arkitek have completed the design development and construction documentation phases under a previously awarded contract and amendment.



X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Timeline

August 15, 2023 – City Council approves purchase of 2200 Ashland St for use as emergency shelter

April 2, 2024 – Ad Hoc Committee established to provide recommendations for site use

November 18, 2024 – Ad Hoc Committee presents 2200 Ashland St Master Plan recommendations

January 21, 2025 – City Council adopts the 2200 Ashland St Master Plan

March 4, 2025 – Emergency Shelter Upgrade project for 2200 Ashland St. Advertised

April 3, 2025 – Public bidding closes

April 9, 2025 – Intent to Award to Outlier Construction posted

May 21, 2025 – City enters Design-Build contract with Outlier Construction for up to \$43,640 for Phase I Schematic Design and Code Evaluation

July 29, 2025 – City amends Design-Build contract to include up to \$42,020 for Phase I Construction Documents

August 8, 2025 – City receives GMP Budget Estimate for Phase 2 construction



X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Summary – Bidding Process

As established in the Ashland Municipal Code (AMC) (2.50), the City Council acts as the local contract review board ensuring proper procurement procedures are utilized by staff in procuring services for the City of Ashland.

- Design Build Solicitation – approved by the Legal Department
- Solicitation posted on Oregonbuys – March 4, 2025
 - Advertised in the Daily Journal of Commerce
- Four Responses Received – April 3, 2025
- Review deemed Outlier Construction and Arkitek as most qualified design build team



X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Building Layout

- New restroom, shower and laundry in east section
- New restroom layout (3) with shower facilities and laundry in main section of building
- Occupancy of east section (32) plus (2) staff – inclement weather shelter
 - Overflow occupancy (54) plus (4) staff
- New HVAC system
 - Alternate #1 additional system for heat/cooling of weather shelter area
- New fire sprinkler system throughout
- New fire wall
- New ADA Access and parking

Permitting

- Code and occupancy review complete
- Building permit approved

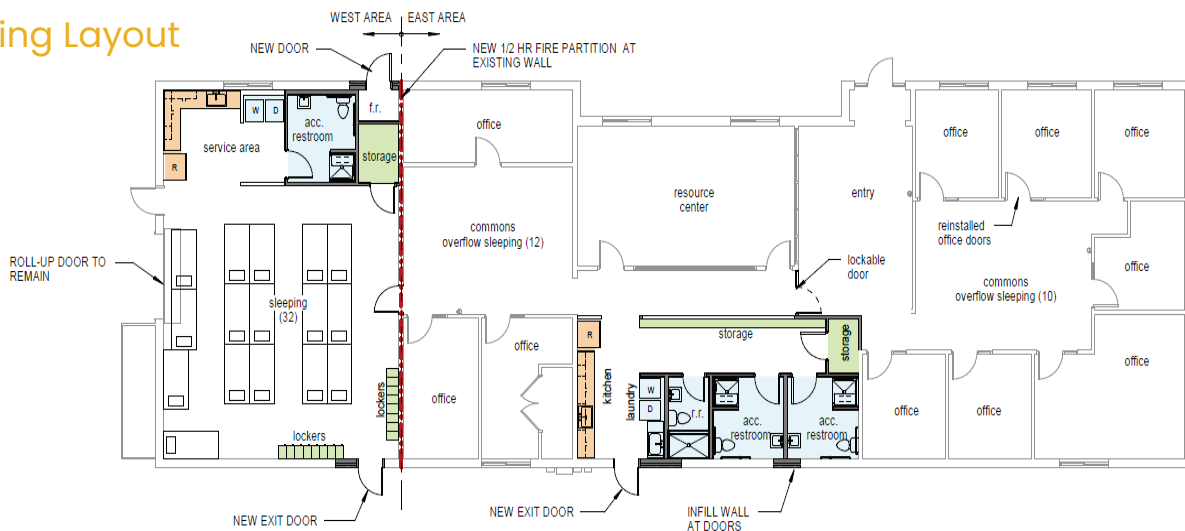


5

X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Building Layout



6

X. Ordinances, Resolutions, Contracts

Emergency Shelter Contract Amendment – Phase 2 Guaranteed Maximum Construction Price

Potential Motions

I move to approve the contract amendment with Outlier Construction Company for the Emergency Shelter Upgrade Project in an amount not to exceed \$856,593.

I move to approve the contract amendment with Outlier Construction Company for the Emergency Shelter Upgrade Project including alternate #1 in an amount not to exceed \$917,215.

I move to approve the contract amendment with Outlier Construction Company for the Emergency Shelter Upgrade Project including alternates #1 & 2 in an amount not to exceed \$947,936.



QUESTIONS?





Council Business Meeting

Date: September 16, 2025

Agenda Item	City Council Fall Retreat
Department	City Manager's Office
From	Sabrina Cotta

TIME ESTIMATE

1 minute

CATEGORY

Informational - this is to inform the body on a particular topic. No motion or direction needed.

SUMMARY

This item is to inform City Council of the scheduled Fall retreat on December 1st, 2025 from 1p.m. to 6 p.m.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

- August 4, 2025, City Council meeting a request was made for a fall retreat to be scheduled by October 1st.
- August 4, 2025, City Council meeting a request was made for the following topics: future financial projections and fiscal stability to be discussed at the requested fall retreat.
- August 28, 2025, an email was circulated to City Council requesting the date of December 1st. No response in disagreement of date and time was received.

Topics to be discussed:

- Facilities assessment and space optimization study results
- Future financial projections
- Service delivery and fiscal stabilization

FISCAL IMPACTS

None

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

No action needed.

REFERENCES & ATTACHMENTS

1. Council retreat date email

Sabrina Cotta

From: Sabrina Cotta
Sent: Thursday, August 28, 2025 11:40 AM
To: Sabrina Cotta
Subject: RESPONSE REQUESTED: Council Retreat Date

Council bcc,

I am aiming to get the Council retreat scheduled. I am proposing December 1st beginning at 1p.m. – 6p.m. This is the date of our normally scheduled Study Session, so all Councilors theoretically are in town. The intent is the retreat in lieu of the study session. Please let me know by EOD Tuesday 9/2 if this **DOES NOT** work for you.

Thank you,

Sabrina Cotta, City Manager

She/her/hers



City of Ashland

City Manager's Office

20 East Main Street, Ashland, OR 97520

541.552.2106|TTY 800.735.2900|541.488.5311 fax

This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at (541) 552-2106. Thank you.



Council Business Meeting

Date: September 16, 2025

Agenda Item	Public Art Award Selection – Traffic Signal Box project
Department	Community Development
From	Veronica Allen, Associate Planner, Brandon Goldman, Director of Community Development

TIME ESTIMATE

Consent item (5 min)

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

The Public Arts Advisory Committee (PAAC) is seeking Council approval of three artwork designs to be painted on three separate traffic signal boxes (TSB) as part of an artist led community art project.

POLICIES, PLANS & GOALS SUPPORTED

- Comprehensive Plan: Transportation Element: Policy #7 Encourage public art along multi-modal travel corridors.
- [Resolution No. 2016-29](#): A Resolution Adopting Guidelines for the Creation and Installation of Murals
- [Public Arts Master Plan](#)

BACKGROUND AND ADDITIONAL INFORMATION

The PAAC is pioneering a neighborhood community art project with a long-term goal to paint 20 identified TSB. This request is part 2 of the project to paint the next round of three (3) TSB of the remaining identified 17 boxes. In 2023, the PAAC previously received council approval of \$5,000 to paint three traffic signal boxes. The first three boxes were completed by October of 2024. PAAC have continued to move forward with painting the remaining TSB as a yearly project of three boxes per year.

The artwork was selected by a selection committee comprised of professional artists in the community and subsequently approved by the Public Arts Advisory Committee and Oregon Department of Transportation. The traffic signal boxes are located at:

- 1) The corner of Tolman Creek Road and Ashland Street/OR-66. This box will be painted by staff and members of the Ashland YMCA. Art by Arzoo Adhikari.
- 2) The corner of Walker Avenue and Ashland Street/OR-66. This box will be painted by students and staff of Walker Elementary School. Art by Dylan Fram, and
- 3) The corner of S Mountain Avenue and Siskiyou Boulevard/Or-99. This box will be painted by Ashland High School art students and faculty. Art by Jessica Lee Findleton.

Prior to painting the three Reaffic Signal Boxes, a professional painter will prepare the boxes by cleaning, sanding, and priming. After the boxes are painted, three coats of clear protective sealant that is designed to repel graffiti will be applied.

FISCAL IMPACTS

On August 15, 2023, the council authorized funds in the amount of up to \$5,000 to be used for phase 1 of the project. Final cost of phase 1 of the project was approximately \$3,586. Phase 2 of the project is much the same, with additional costs incurred from the prep and seal of the boxes due to inflation, and potential cost



Council Business Meeting

cuttingsavings fromutilizing existing excess supplies (paint and brushes) leftover from phase 1. Budgeting for the project is as follows:

- Each of the three artists are to receive an honorarium of \$500 per box for a total of \$1,500 of allocated funding.
- A professional painter will prep and seal the three boxes to allow for the acrylic and spray paints to be applied and protected. The bid for the prepping and sealant work is \$545 per box (\$20 more per box) for a total of \$1,635.
- Additional funds for paint and paint supplies are estimated to range from \$400 to \$800 combined for the three boxes.
- Estimated total cost is \$3,150 to \$4,000 for the three utility boxes. The total allocated funds requested for this project are not to exceed \$5,000. If the designs are approved, the City would accept the artwork into the Public Art Collection and would be responsible for its maintenance and conservation, including regular cleaning and upkeep, and any necessary repairs or restoration.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

The Public Arts Advisory Committee recommends that the Council approve the proposed designs for the three traffic signal boxes and accept them into the Public Art Collection upon completion.

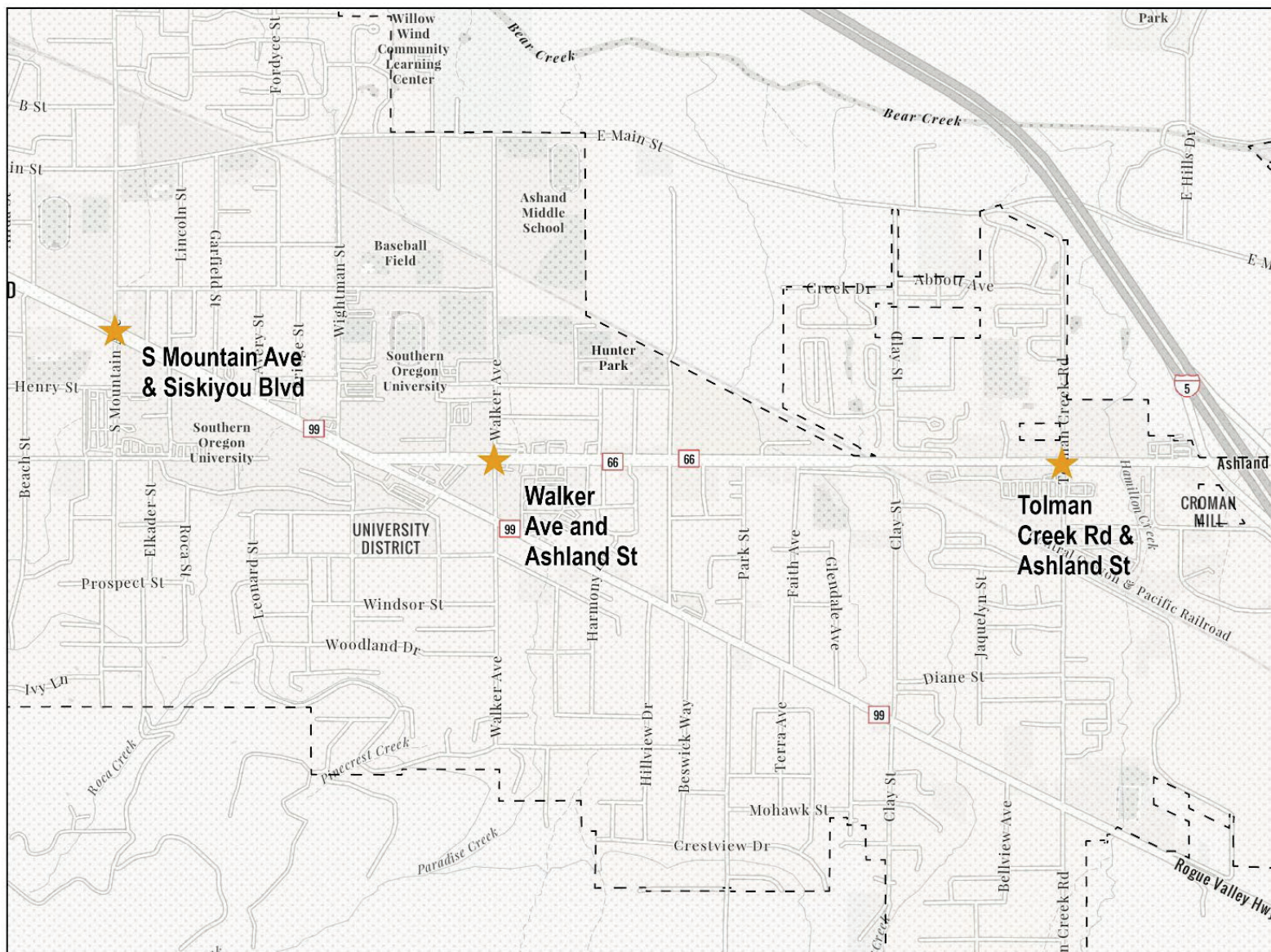
The proposed motion is as follows:

"I move that the Council approve the proposed designs for the three traffic signal boxes, as identified by the Public Arts Advisory Committee and approved by the Oregon Department of Transportation staff, approve the use of up to \$5,000 in funds for the project, and accept the boxes into the City of Ashland's Public Art Collection upon completion."

REFERENCES & ATTACHMENTS

1. PAAC_Traffic Signal Box Designs & Map

2025 Ashland Traffic Signal Box Locations

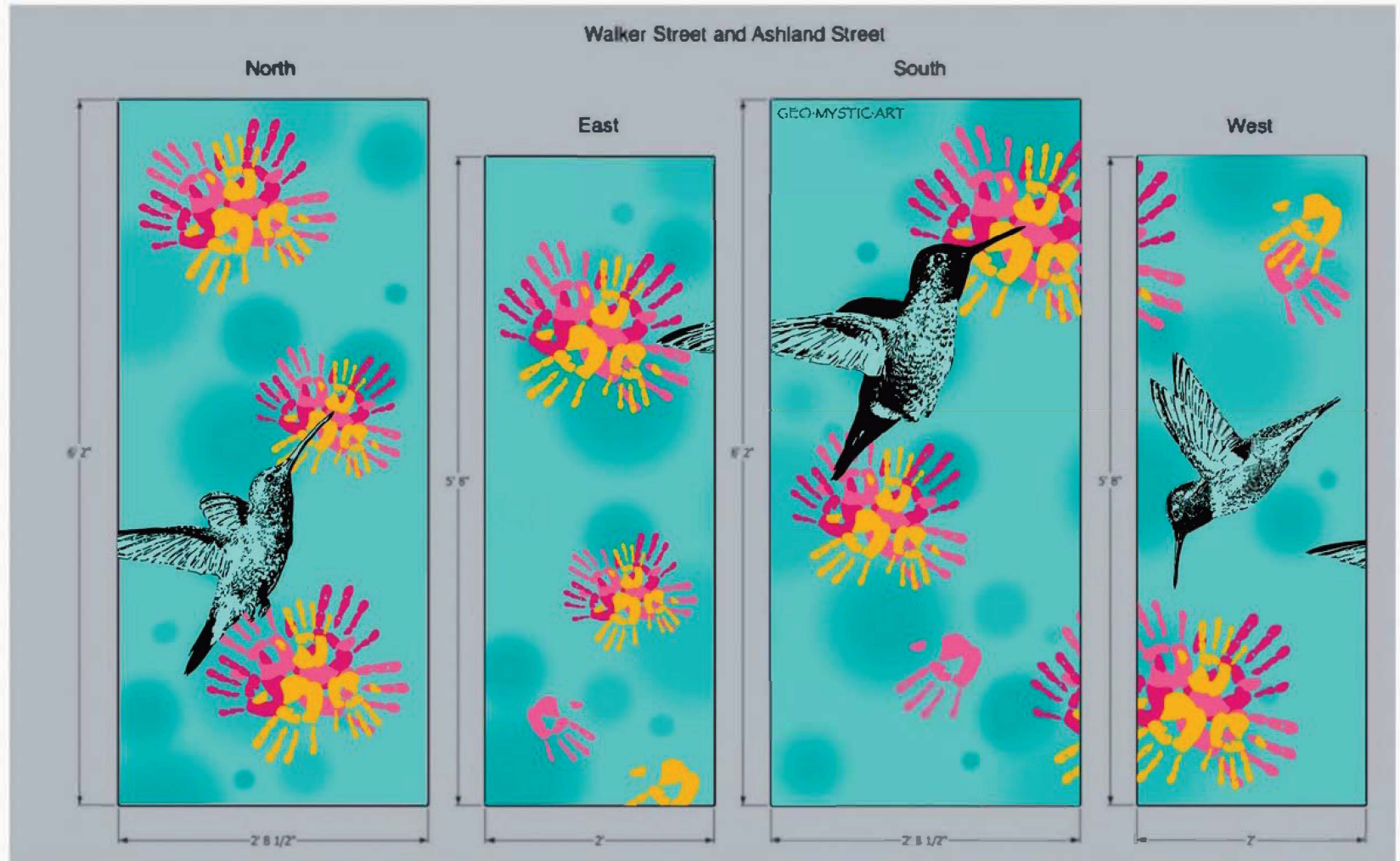




Box 2 - Walker-Ashland

GEO·MYSTIC·ART

your design proposal.
ts (HxW): East/West (5'8" x 2') & North/South (6'2" x 2'8 1/2")



Mountain & Siskiyou

Artist: Jessica Lee Findleton

Mountain-Siskiyou





Council Business Meeting

Date: September 16, 2025

Agenda Item	Advisory Committee Member Appointment
Department	Mayor and Council
From	Alissa Kolodzinski, City Recorder

TIME ESTIMATE

1 min

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

Approval of Mayor Graham's recommendation for the appointment of Jay Lininger to Position #6 to the Planning Commission with a term ending December 31, 2026.

POLICIES, PLANS & GOALS SUPPORTED

Per the Ashland Municipal Code 2.04.090, all regular advisory committees and boards shall be appointed by the Mayor with the consent of the Council.

BACKGROUND AND ADDITIONAL INFORMATION

FISCAL IMPACTS

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve the appointment of Jay Lininger.

REFERENCES & ATTACHMENTS

None





Council Business Meeting

Date: September 16, 2025

Agenda Item	Liquor License Application Approval
Department	City Recorder
From	Alissa Kolodzinski, City Recorder

TIME ESTIMATE

1 min

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

This is a request for approval of a liquor license application for Restaurant Republic, DBA Burrito Republic, located at 46 E Main St.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review

BACKGROUND AND ADDITIONAL INFORMATION

The application is for a New License – Off-Premises Sales

The Planning, Police, and Fire departments have reviewed the applications and recommended approval of the liquor licenses. The businesses comply with the City's land use requirements and have a Business License.

FISCAL IMPACTS

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve the liquor license application.

REFERENCES & ATTACHMENTS

1. OLCC annual - Burrito Republic



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Restaurant Republic/Sam Jackson

Proposed Trade Name: Burrito Republic

Premises Address: 46 EAST MAIN ST.

Unit:

City: Ashland

County: Jackson

Zip: 97520

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: OFF-Premises Sales ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Samuel Jackson

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: Ashland

State: OR

Zip: 97520

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

☐ Manufacturing/Production☒ Retail Off-Premises Sales☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

☐ Indoor Consumption☐ Outdoor Consumption☐ Proposing to Allow Minors

Section 1 continued on next page



OREGON LIQUOR & CANNABIS COMMISSION
Local Government Recommendation – Liquor License

Section 1 Continued – Submission – To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Restaurant Republic/ Sam Jackson
Proposed Trade Name: Burrito Republic

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed by the local government for this form to be accepted with your CAMP application.

Section 2 – Acceptance – To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: Ashland

Optional Date Received Stamp

Date Application Received: 9.8.2025

Received by: Kerrick Gooden

Section 3 – Recommendation – To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets OAR 845-005-0308)
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.



Council Business Meeting

Date: September 16, 2025

Agenda Item	Public Hearing and First Reading of Ordinance 3273: An Ordinance Amending the Enhanced Law Enforcement Expulsion Process as Outlined in AMC 10.120
Department	Police
From	Tighe O'Meara, Police Chief

TIME ESTIMATE

30 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

Staff is seeking Council approval on amendments to the existing ELEA expulsion process

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

The initial Enhanced Law Enforcement Area was established in 2012 to address chronic negative behavior in the downtown area. In January of 2025 a second ELEA was established along the Ashland Street business corridor to address ongoing negative behavior in that part of the City. This tool has proven to be effective in dealing with chronic negative behavior when the usual court sanctions are not effective.

The current language of the ELEA allows for a person to be expelled only after a conviction for multiple violations or crimes, allowing their ongoing negative behavior to continue while cases make their way through the court system. This can go on for many weeks to several months, or even over a year if a criminal case is drawn out long enough.

Other communities have adopted a more streamlined process that allows officers to directly expel someone based off of a single violation. Staff is not recommending this approach as it would remove the judicial review that the City currently has. Staff is requesting Council approval for amendments to the existing ordinance that would allow an officer to directly petition the Municipal Court Judge for an expulsion order under certain circumstances.

The proposed new language allows for an officer to directly petition the Judge for an expulsion under any of the following circumstances:

-the person has been charged with three or more qualifying violations inside a distinct ELEA within six months.

Qualifying violations would be:

- drinking in public

- open container in public

- smoking marijuana in public

- dog, control required

- scattering rubbish

- unnecessary noise

- Note that only included violation offenses could result in an expulsion, others, such as prohibiting camping and dog license required could not lend themselves toward an expulsion OR

-the person has been charged with two or more misdemeanor crimes (non-person crimes such as trespassing or minor theft) within six months OR

-the person has been charged with unauthorized burning, or a crime against a person (e.g. assault) or a felony



Council Business Meeting

Under the current ELEA procedure, defendants are provided with information at each step of the process advising them of potential expulsion action. That procedure would continue going forward. The defendant would also be advised of the time and place of the expulsion hearing and would be given a chance to argue against the expulsion. The defendant would be given 10 days to appeal the expulsion as well, with the expulsion being stayed pending the appeal.

Under the potential new language, as is also the case with the current language, an expulsion would never interfere with a person's ability to seek and receive social services, go to work or school, or go to a grocery store, pharmacy, doctor's appointment etc.

At Council's request, the proposed new language dictates that no appeal fee is required to request an appeal.

Attached is the potential new ordinance language, potential new, simplified language for the handout that would accompany each step in this process, as well as council communications and PowerPoint slides from November 19, 2024, February 19, 2025, April 15, 2025 and August 4, 2025.

FISCAL IMPACTS

This potential change has no direct financial impact.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move Council approve Ordinance 3273: An Ordinance Amending the Enhanced Law Enforcement Expulsion Process as Outlined in AMC 10.120

REFERENCES & ATTACHMENTS

1. 11192024 cc
2. 11192024
3. 021925 cc
4. Final ELEA 02192025
5. 04152025 cc
6. ELEA PP 041525
7. Draft new ELEA pamphlet language 08042025
8. Persistent Violation_August 2025 Draft Ordinance
9. Persistent Violation_August 2025 Draft Ordinance_9.16.25
10. SS CC 08042025
11. Ordinance 3273_Draft 09162025
12. 10.120.010.B.1 Exh B
13. 10.120.010.B.1 Exh A





Council Business Meeting

Date: November 19, 2024

Agenda Item	First Reading ORD 3251 Repealing and replacing AMC Chapter 10.120 – Persistent Violations
From	Tighe O'Meara, Police Chief
Contact	tighe.omeara@ashland.or.us

SUMMARY

This proposed ordinance amends the current "Persistent Violator" ordinance. Right now, in the current ordinance, law enforcement must wait to expel someone from an Enhanced Law Enforcement Area (ELEA) until that person is convicted of multiple violations and convictions prior to asking the Judge for expulsion. This ordinance changes so that a law enforcement officer can expel someone from an ELEA if the officer has probable cause to believe that the offense occurred in that zone. If the person returns after being expelled, and an exception or variance does not apply, then that person is subject to a mandatory arrest via the proposed trespass AMC.

POLICIES, PLANS & GOALS SUPPORTED

Having the ELEA in place downtown has been an invaluable tool for the Ashland Police Department. Since its inception in 2012, the ELEA has allowed APD to mitigate chronic negative behavior downtown. This negative behavior peaked in 2017 and has been steadily declining since. Since 2017 there have been 1,063 qualifying violations in the downtown area, leading to the expulsion of 46 individuals.

While the current ELEA ordinance has been an invaluable tool, it is not without its obstacles. The current ordinance requires that individuals exhibit repeated negative behavior in the downtown area, and be convicted on those charges, before the expulsion process can be initiated and make its way through the municipal court. The new ordinance allows officers to recognize chronic negative behavior individuals as the violations are occurring and expel them from the area, with the threat of additional charges if they return. This process allows members of the Ashland Police Department to be much more responsive and problem-solving oriented to chronic negative behavior from individuals.

BACKGROUND AND ADDITIONAL INFORMATION

Section 10.120.020 allows officers to expel individuals from designated Enhanced Law Enforcement Areas (ELEAs) for offenses committed within those areas. The two primary ELEAs are shown on the proposed maps (Exhibits A and B). Additionally, an officer can expel someone from city-owned or managed property if the officer has probable cause to believe that a crime or violation listed in 10.120.020 occurred on city-owned or managed property. A court can also expel someone from an ELEA in a court order.

As listed in Section 10.120.020, expulsion durations vary. Those variations correlate to the severity of the behavior. For example, someone can be expelled from an ELEA for 30 days for the listed non-criminal violations. In these cases, if someone fails to appear to court for their underlying offense, the offender is subject to an additional 30-day expulsion. For misdemeanors, an offender is subject to a 90-day expulsion and 180 days for felonies.

Re-entry into an ELEA without valid exception (10.120.040) constitutes criminal trespass (a B misdemeanor, AMC 10.56.020.D), resulting in a minimum 3-month, maximum 1-year expulsion.

Section 10.120.040 details exceptions allowing re-entry for essential activities (groceries, medical care, employment), travel, or granted variances. In other words, even if someone was expelled, that person is nonetheless permitted to be in an ELEA for one of those listed exceptions or by a court variance.

The ordinance incorporates several due process protections (10.120.030, 10.120.050). Expulsion orders will be issued in writing, outlining the individual's rights, consequences, and appeal process, including variance requests. If this ordinance passes, these procedures will be provided in a user-friendly format to ensure citizens have accurate information on the expulsion and their appeal rights.





Council Business Meeting

FISCAL IMPACTS

None

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

If this ordinance passes, it will also create an ELEA in the south end of town, which has been a request by citizens and council. Not passing this ordinance will keep its existing structure.

Motion

"I move to approve the first reading of Ordinance Number 3251, repealing and replacing AMC Chapter 10.120 – Persistent Violations with AMC Chapter 10.120 Civil Expulsions."

REFERENCES & ATTACHMENTS

1. ORD 3251 Repealing Replacing AMC 10.120 with AMC 10.120 Civil Expulsions
2. EAST CAP
3. West CAP



ORDINANCE NO. 3251

AN ORDINANCE REPEALING AMC CHAPTER 10.120 PERSISTENT VIOLATIONS
AND REPLACING IT WITH AMC CHAPTER 10.120 CIVIL EXPULSIONS.

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are bold underlined.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Ashland Municipal Code Chapter 10.120 Persistent Violations is repealed in its entirety as follows:

10.120.010 — ~~Enhanced Law Enforcement Area and Persistent Violation, Misdemeanor~~

A. ~~It is the intent of the City Council to protect discrete areas within the City that are experiencing increased unlawful activity against becoming an attraction for more such activity and to protect the public against health and welfare hazards posed by persons who are attracted to these areas for opportunity to engage in or to contact others to engage in unlawful activity.~~

B. ~~The City Council finds that the following geographic areas within the City are particularly affected by unlawful behavior and/or are subject to a disproportionate number of incidents of the unlawful activities comprising persistent violation as defined in AMC 10.120.020 below, and declares each such area to be an enhanced law enforcement area:~~

- 1. ~~Downtown Enhanced Law Enforcement Area— inclusive of Bill Patton Garden and 130 N. Pioneer Street public parking lot, as depicted in Exhibit A attached to the ordinance codified in this section. (Ord. 3142, amended, 04/18/2017; Ord. 3114, amended, 2015; Ord. 3066, added, 06/19/2012)~~**

10.120.020 — ~~A Person Commits the Crime of Persistent Violation If:~~

A. ~~The person is convicted in Ashland Municipal Court for any combination of the following crimes or violations occurring in separate incidents within a six-month period within an enhanced law enforcement area:~~

- 1. ~~Three (3) or more Class A, B or C felonies or Class A, B or C misdemeanors;~~**
- 2. ~~Two (2) Class A, B or C felonies or Class A, B, or C misdemeanors plus one (1) or more violations of the sections set forth below;~~**
- 3. ~~Three (3) or more violations of any of the following sections or laws:~~**
 - a. ~~AMC 9.08.110 — Scattering Rubbish;~~**
 - b. ~~AMC 9.08.170 — Unnecessary Noise;~~**
 - c. ~~AMC 9.16.010 — Dogs — Control Required;~~**
 - d. ~~AMC 10.40.030 — Consumption of alcoholic liquors in public places prohibited;~~**
 - or**
 - e. ~~AMC 10.40.040 — Open Containers Prohibited;~~**
 - f. ~~AMC 9.16.015 — Dog License Required; or~~**
 - g. ~~ORS 475B.381 — Use of marijuana in public place prohibited.~~**

~~B. The person knowingly enters an enhanced law enforcement area in violation of a Municipal Court expulsion order as a term of the person's probation or a court expulsion order pursuant to AMC 10.125.010 et seq. (Ord. 3142, amended, 04/18/2017; Ord. 3113, amended, 2015; Ord. 3066, added, 06/19/2012)~~

~~10.120.030 — Mandatory Arrest~~

~~A. When a peace officer has probable cause to believe that a person has committed the crime of persistent violation, the officer shall arrest and take into custody the alleged violator. (Ord. 3066, added, 06/19/2012)~~

~~10.120.040 — Misdemeanor Classification Presumptive Penalty~~

~~A. Persistent Violation is a Class B Misdemeanor.~~

~~B. Unless there is reasonable cause to order otherwise, upon a finding that any offense supporting a conviction for persistent violation occurred within an enhanced law enforcement area, in addition to any other appropriate conditions of probation, the Court shall expel the person from an enhanced law enforcement area defined in AMC~~

~~10.120.010.B for a period not less than three (3) months or more than one (1) year, unless the court finds it necessary to:~~

- ~~1. Specifically address the remedy for the violation; and/or~~
- ~~2. Allow the person to travel to and from the person's place of employment, educational facility, City offices, physical or mental health treatment facility, or other areas that the court deems materially related to the person's crimes or violations, the needs of the person, or the protection of the public. (Ord. 3066, added, 06/19/2012)~~

SECTION 2. Ashland Municipal Code Chapter 10.120 ~~Persistent Violations~~ Civil Expulsion is to read as follows:

10.120.010 – Purpose; Establishment of Enhanced Law Enforcement Areas (ELEAs).

A. The City Council aims to safeguard specific areas within the city from increased unlawful activity and to deter further attraction to such activities. The primary goal is to protect public health and safety from hazards posed by individuals engaged in or facilitating unlawful conduct. The police department is committed to informing citizens of Ashland Municipal Code and its enforceability through civil expulsion before imposing strict consequences, ensuring that all individuals are treated fairly and equitably throughout the enforcement process.

B. Enhanced Law Enforcement Areas (“ELEA”). The following geographic areas within the City are designated Enhanced Law Enforcement Areas (ELEAs) due to their susceptibility to a disproportionate number of unlawful activities or persistent violations of the law:

- 1. ELEA – CAP West: As defined in Exhibit A.**
- 2. ELEA - CAP EAST: As defined in Exhibit B.**
- 3. ELEA - City Property: Any property owned or managed by the City—including, but not limited to, parks, greenways, buildings, parking lots, and other lands or structures—where a law enforcement officer has probable cause to believe an individual has committed a criminal or violation offense as defined in AMC 10.120.020. The expulsion of an offender from ELEA - City Property shall apply**

only to the specific City property for which the individual receives a notice of expulsion.

4. ELEA - Court Order: Any property or location within the City as ordered by a court of competent jurisdiction that limits the right of a person to enter or remain.

10.120.015 - Definitions.

For the purposes of this ordinance, the following terms are defined as follows:

1. Expulsion order: A formal order prohibiting an individual from entering or remaining within a specified ELEA for a set period, as determined by a law enforcement officer or court of competent jurisdiction.
2. CAP (Concentrated Area Patrol): A designated patrol area as defined by the APD in which calls for service can be tracked, and in which dedicated patrol resources can be assigned.
3. Law enforcement officer: As defined by ORS 131.915(3) and any peace officer or other authorized personnel of the City of Ashland with the legal authority to enforce local, state, or federal laws within the City limits.
4. Offender: A person against whom an expulsion order has been issued for committing an offense described in AMC 12.120.020 within an ELEA.
5. Variance: A written exception to an expulsion order granted by a court, allowing limited access to an ELEA for specific, non-criminal purposes under defined conditions.

10.120.020 - Offenses Authorizing an Expulsion Order.

1. A law enforcement officer may expel any person from an ELEA, for the times specified below, if there the officer has probable cause to believe that person committed any of the offenses within that area, as those offenses may be updated from time-to-time:

A. 30-Day expulsion.

- i. The 30-Day expulsion applies for the following violations:
 - a. Scattering Rubbish (AMC 9.08.110);
 - b. Unnecessary Noise (AMC 9.08.170);
 - c. Dogs- Control Required (AMC 9.16.010);
 - d. Dog License Required (AMC 9.16.015)
 - e. Consumption of alcoholic liquors in public places prohibited (AMC 10.40.030);
 - f. Open Containers Prohibited (AMC 10.40.040);
 - g. Use of marijuana in public place prohibited (ORS 475C.377).
 - h. Obstructing passageways (AMC 10.64.020)
 - i. Keeping Junk (AMC 9.12.020; AMC 9.12.030)
 - j. Outdoor and Indoor Burning Restricted (AMC 10.30.010)
 - ii. The offender is subject to an additional 30 day expulsion if the offender fails to appear in court on the underlying offense.
- B. 90-Day expulsion for any state, federal, or city misdemeanor.
 - C. 180-Day expulsion for a state or federal felony.
 - D. Any contempt of court or failure to comply with a court order issued by a court of competent jurisdiction.

2) A court of competent jurisdiction is authorized to issue an order expelling an individual from an ELEA, for a period not to exceed six months, any person it deems a threat to public safety or to specific persons or property, either to prevent further threats or as a condition of probation upon conviction for a violation of an expulsion order.

3) Nothing in this section shall be construed to authorize the expulsion of an individual from an ELEA who enters or remains lawfully for a 'permitted activity' as listed in 10.120.040.B or other rights protected by the Oregon or federal constitution. However, a person engaged in such protected activity who also commits acts that are not protected shall be subject to expulsion as provided by this section.

10.120.030 - Procedures for Issuing an Expulsion Order.

1. The expulsion order must be personally delivered by the law enforcement officer to the offender at the time of the offense or at the first opportunity for personal contact with the offender.

2. The expulsion order shall be in writing and must include:

- A. The specific ELEA from which the offender is expelled;
- B. The length of the expulsion;
- C. The nature of the offense that led to the expulsion order;
- D. Notice of the sanctions for failure to comply with the expulsion order;
- E. Notice of the rights and process to appeal the expulsion order.

3. The law enforcement officer shall document the issuance of the expulsion order, including the time, date, location, and reason for the expulsion order, and submit a report to the municipal court and the police department's central database for tracking and monitoring purposes.

10.120.040 - Violation of Expulsion Order.

1. A person commits the offense of Trespass (AMC 10.56.020(B)) if they knowingly, recklessly, or with criminal negligence enter or remain unlawfully in an ELEA while subject to an active expulsion order issued from a law enforcement officer or a court, unless a following exception applies:

- A. Variance: The person has an active expulsion order variance in their possession and presents it to an officer upon request.
- B. Permitted Activities: A person is present in an ELEA to:
 - i. address or remedy the subject offense, perform official governmental business, attend public meetings, or otherwise enters or remains lawfully to exercise their free speech rights for a city-sanctioned event or other rights protected by the Oregon or federal constitution. However, a person engaged in such protected activity who also commits acts that are not protected shall be subject to violation of the Expulsion Order;
 - ii. actively pursue or obtain social, medical, pharmaceutical, groceries, library services, or other services reasonably deemed related to the needs of the person not otherwise available outside the exclusion zone;

- iii. secure or maintain lawful employment or attend registered educational services.

C. Travel: a person is actively traveling through an ELEA. For CAP West, the travel exception is limited to those traveling in a vehicle or on public transit without stopping, using a necessary street or highway to reach a destination outside of the ELEA.

10.120.050 - Appeal of Expulsion Order; Variance.

A. Appeal Process for Expulsion Order:

1. Right to a Hearing: A person who receives an expulsion order has the right to request a hearing to challenge the expulsion order, seek a reduction in the expulsion period, or request a variance.

B. Filing a Hearing Request:

1. The request for a hearing must be submitted in writing to the Municipal Court Clerk at Ashland Municipal Court within ten (10) days of receiving the expulsion notice.

C. Scheduling and Conducting the Hearing:

1. The municipal court judge shall conduct the hearing within ten (10) days of receiving the request, excluding Saturdays, Sundays, and holidays.
2. The hearing may be rescheduled for good cause but must be held no later than five (5) additional business days from the rescheduled request.

D. Effect of a Timely Filed Appeal:

1. If an appeal is filed within the specified time, the period of expulsion is stayed pending the outcome of the appeal. If the expulsion order is upheld, the remaining period of expulsion will take effect immediately upon the issuance of the municipal court's decision.

E. Burden of Proof and Decision:

1. The City must prove the validity of the expulsion order by a preponderance of the evidence. If the municipal court finds that the expulsion order was based on conduct prohibited by AMC 10.120.020 and is otherwise lawful, the court shall uphold the expulsion order.
2. If the court finds that the City has not met its burden of proof or that the expulsion order is unlawful, the court shall rescind the expulsion order.
3. If the court finds the City has met its burden of proof but determines that the length or scope of the expulsion order is unreasonable under the circumstances, the court may issue an order to shorten the expulsion period or allow for a variance.

F. Variance:

1. A court of competent jurisdiction may, at its discretion, grant a variance to an expelled person at any time during the period of expulsion if the person demonstrates by clear and convincing evidence that:

- a. The person has a legitimate and compelling need to engage in a specific, non-criminal activity within the expulsion area that is unrelated to the behavior leading to the expulsion, such as employment, medical appointments, or caring for a dependent;
 - b. The person resides within the expulsion area and no reasonable alternative housing or accommodation is available outside the area that would allow compliance with the expulsion order;
 - c. The person has a specific and compelling need to obtain essential goods or services that are not reasonably available outside the expulsion area, such as access to unique medical services, prescription medications, or other necessities critical to the person's health or well-being.
 - d. Providing a variance serves the interest of justice, public safety, or public welfare.
2. The variance must be issued in writing and must specify the duration of the variance, the specific purpose for which it is granted, and any conditions or restrictions necessary to protect public safety or property. The expelled person must always carry the variance document on their person while within the expulsion area and must comply with all terms and conditions stated in the variance. Subject to the exceptions outlined in AMC 10.120.040, , a law enforcement officer may require an expelled person to vacate the expulsion area if the expelled person does not have the variance document on their person. The failure of an expelled person to carry the variance document on their person may result in the revocation of the variance by a court of competent jurisdiction.

G. Finality of Decision:

1. The decision of the municipal court is final.

10.120.060 - Revocation of Expulsion Orders.

An expulsion order may be revoked by the issuing authority if it is determined that the expulsion order was issued in error, the conditions for expulsion are no longer applicable, or the offender has demonstrated rehabilitation or changed behavior that no longer poses a threat to public safety or property.

10.120.070 - Data Collection and Reporting.

A. The City shall maintain a central database of all issued expulsion orders, including the date, reason, length of expulsion, and the outcome of any appeals or variances granted.

B. An annual report shall be published detailing the enforcement of this ordinance, including the number and types of offenses leading to expulsion orders, the number of appeals and their outcomes, and any variances granted. This report shall be made publicly available to ensure transparency and accountability.

10.120.080 - Severability.

If any provision of this ordinance or its application to any person or circumstance is held

invalid, the remainder of the ordinance or the application of the provisions to other persons or circumstances shall not be affected.

SECTION 3. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2024, and duly PASSED and ADOPTED this _____ day of _____, 2024.

PASSED by the City Council this _____ day of _____, 2024.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2024.

Tonya Graham, Mayor

Reviewed as to form:

Douglas M. McGeary, Acting City Attorney

Ashland Police Department City of Ashland Legal Department Enhanced LEA

November 19, 2024

ELEA in place since 2012 to address chronic negative behavior

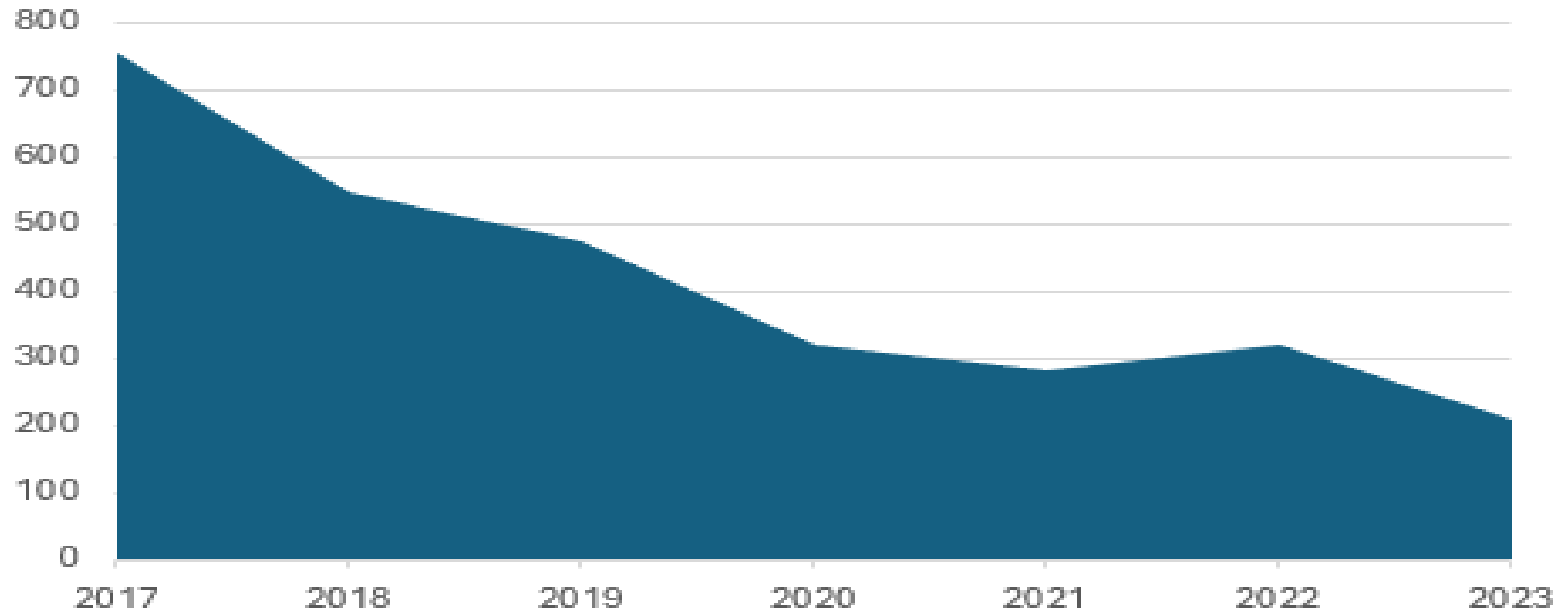
Muni court crim. convictions
scattering rubbish
Unnecessary noise
Drinking in public
Open Container
Smoking MJ in public
Dogs control and license
Camping-NOT included

Big Hole in the original (current) law-doesn't include Circuit Court
matters

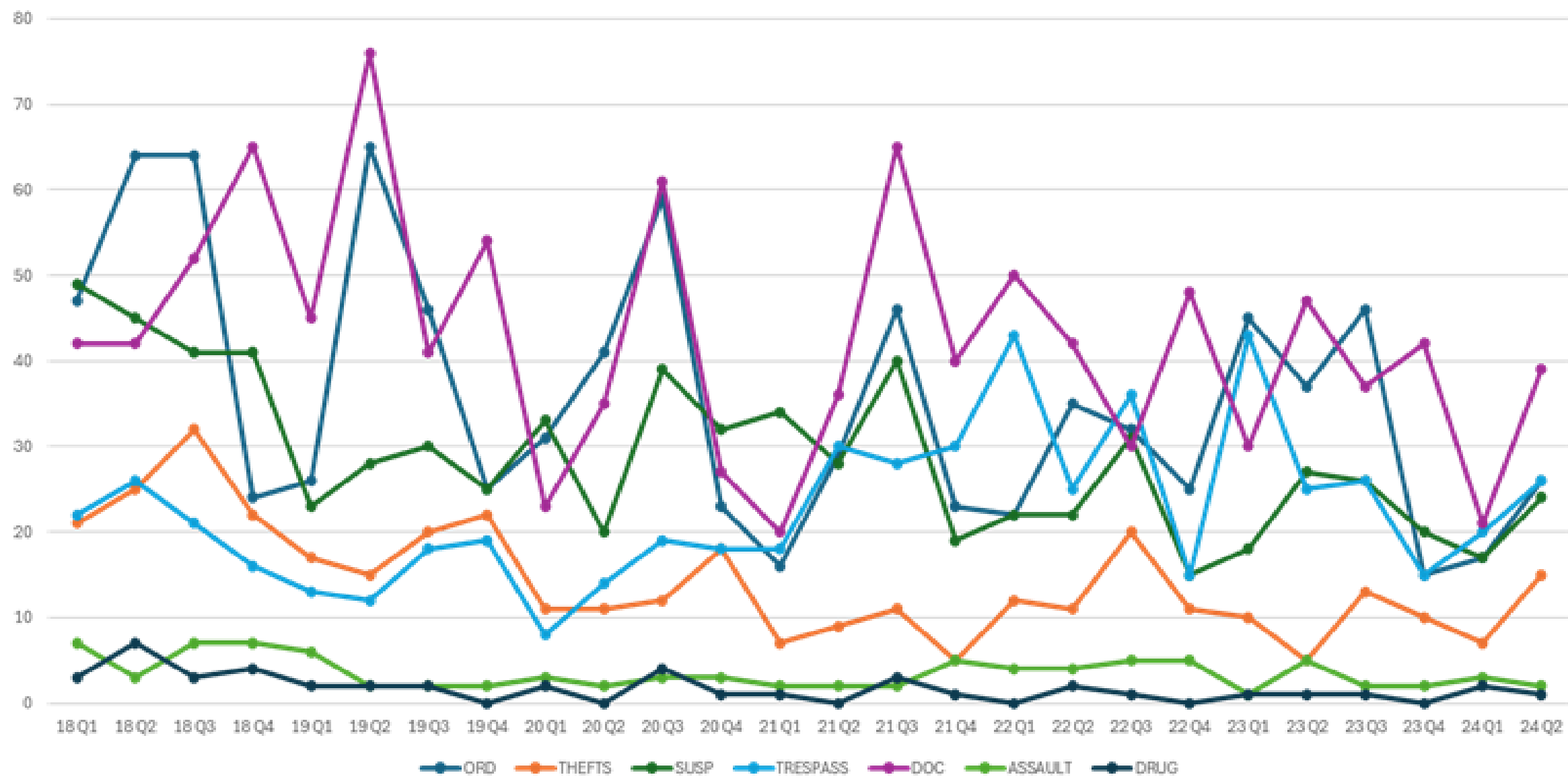
CAP (West) Qualifying Convictions/Exp

- 2023 105 violations led to nine expulsions
- 2022 79 violations led to one expulsion
- 2021 56 violations led to three expulsions
- 2020 109 violations led to four expulsions
- 2019 140 violations led to eight expulsions
- 2018 215 violations led to six expulsions
- 2017 359 violations led to 15 expulsions

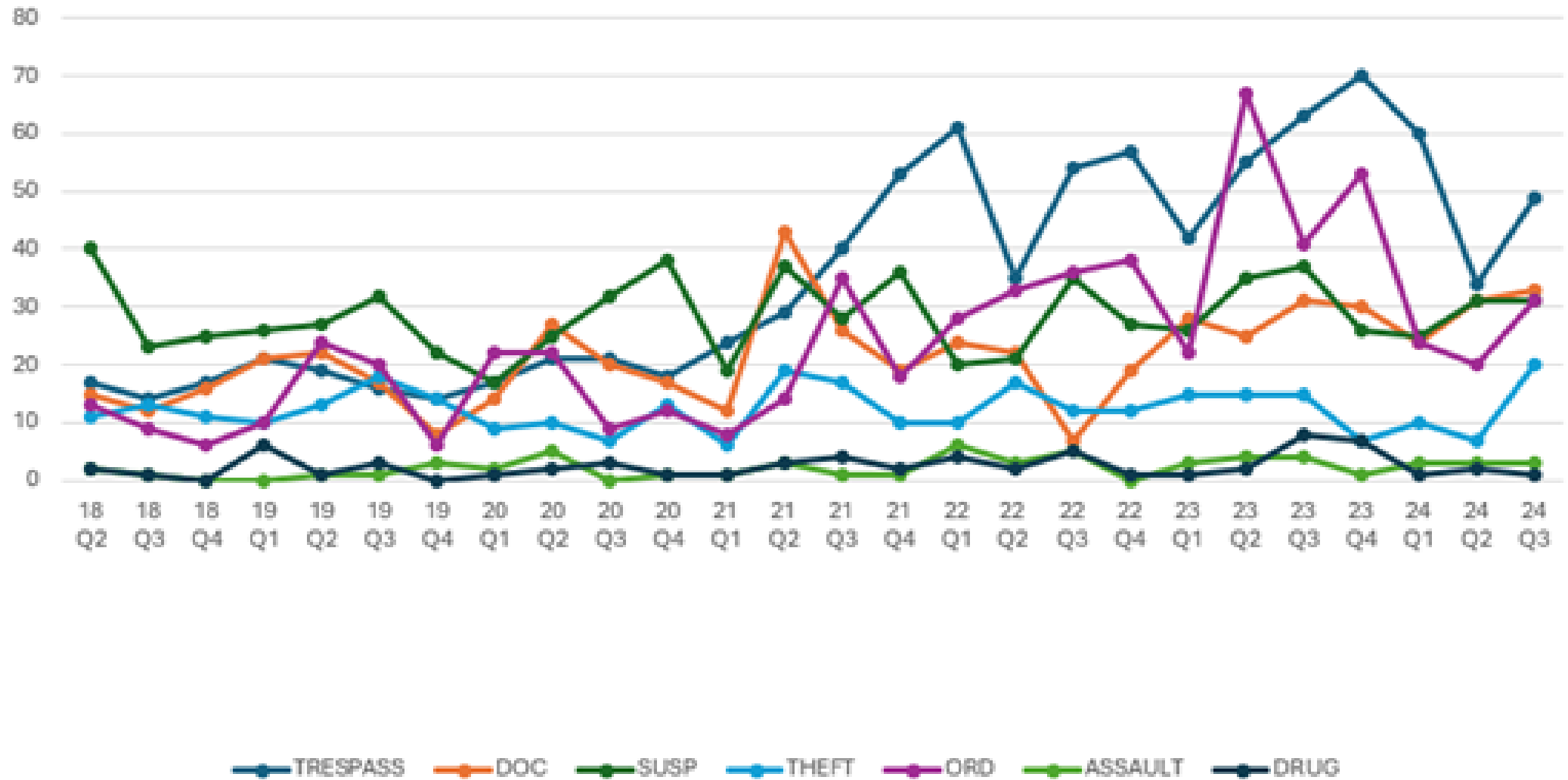
CFS CAP West-Downtown

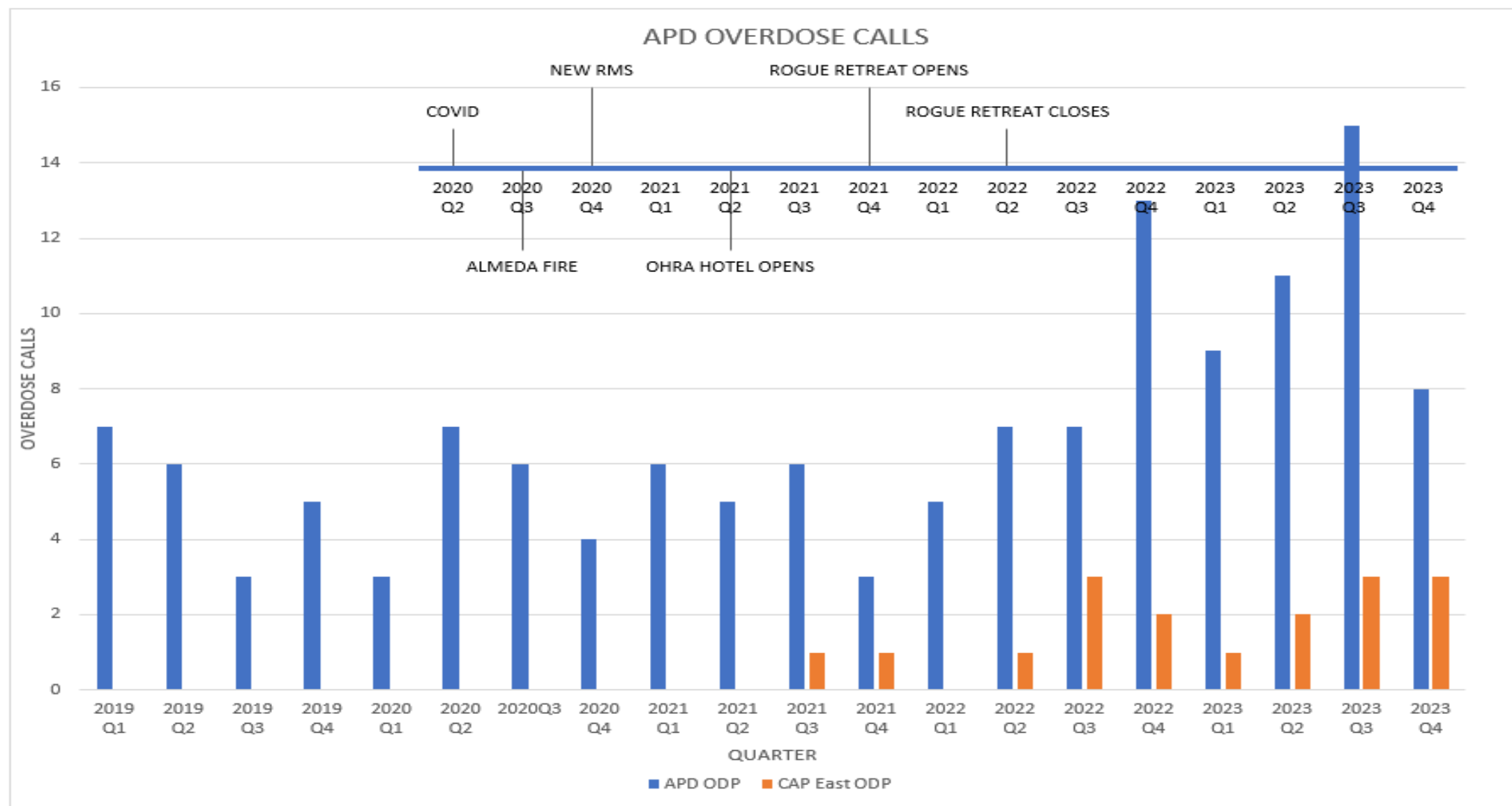


CAP West



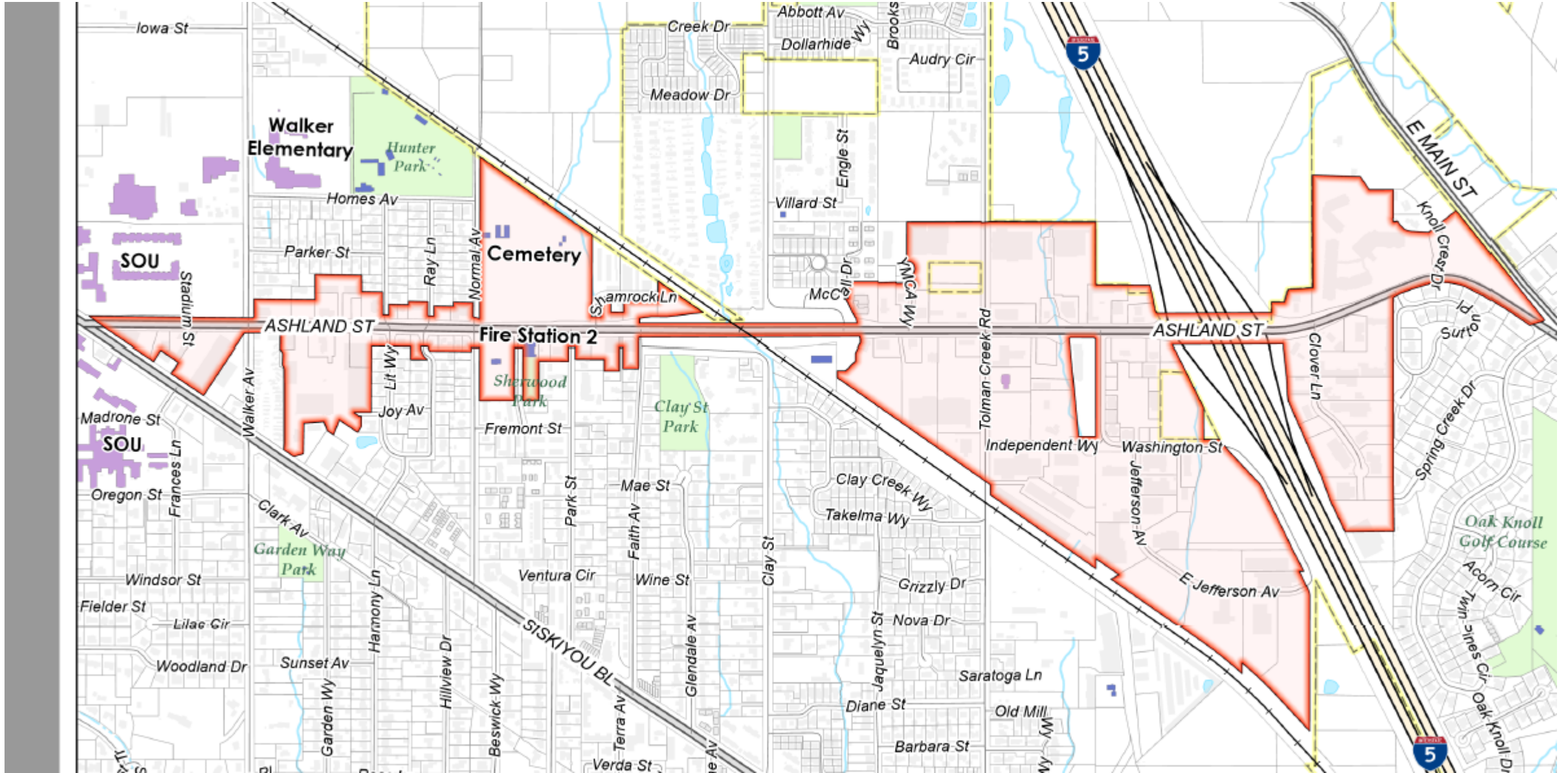
CAP East

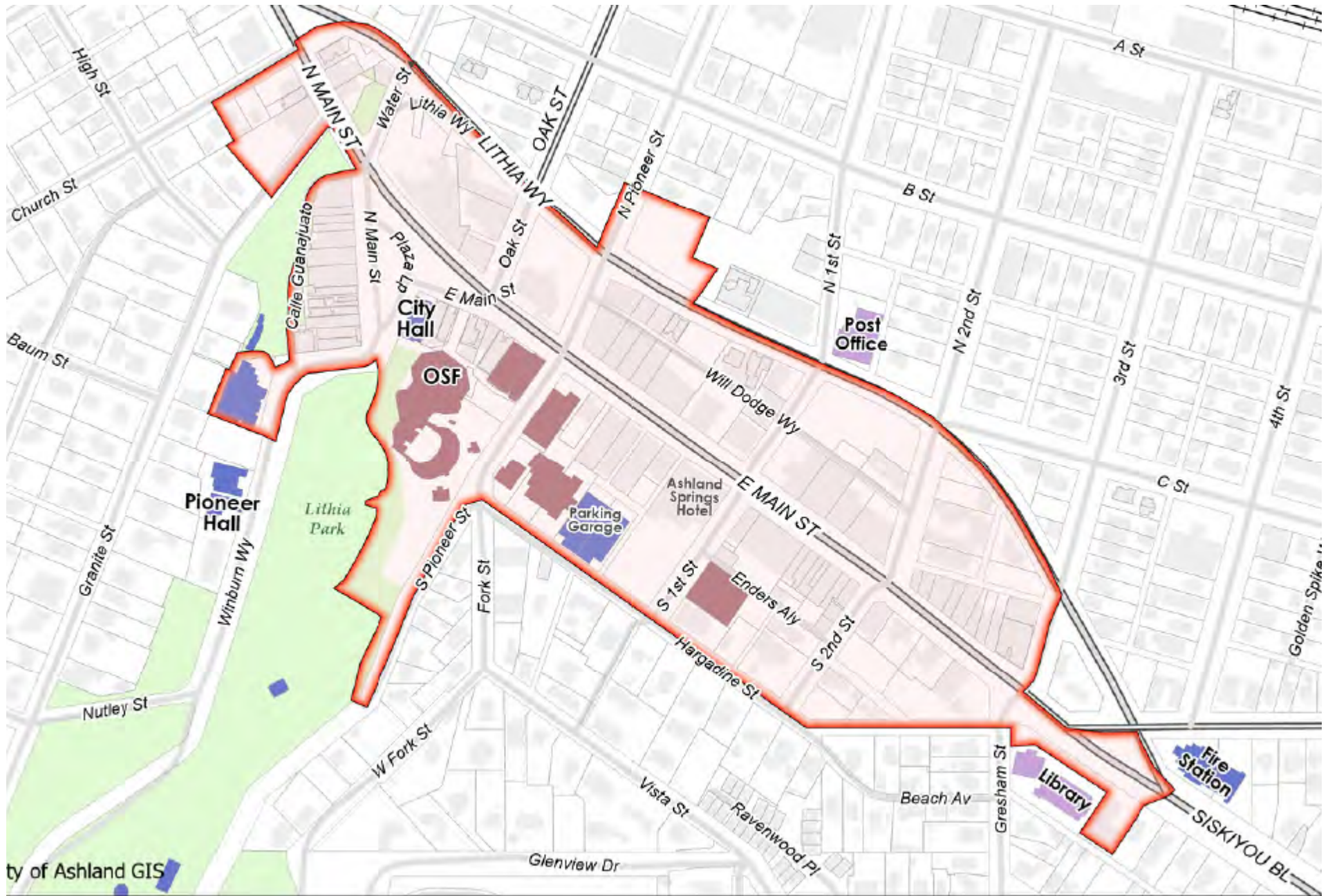




Since January 1st

- In proposed CAP East:
 - 19 individuals have received 3 or more charges
 - Highest offender has received 133, then 9, 7, 6







Council Study Session

Date: February 19, 2025

Agenda Item	Enhanced Law Enforcement Area Changes
From	Tighe O'Meara, Police Chief
Contact	tighe.omeara@ashland.or.us

SUMMARY

Staff is bringing forward information to further the discussion around amending the Enhanced Law Enforcement Area (ELEA) ordinance. Council recently authorized the application of the current ELEA framework to the Ashland Street business corridor. Staff is bringing information in support of modifying the current ordinance to allow for more flexible response for APD officers to address chronic negative behavior.

Legal staff will also bring forward information on other cities' efforts to offer similar solutions, as well as providing options to allow for more tools to address incidents of reckless/unauthorized burning.

POLICIES, PLANS & GOALS SUPPORTED

NA

BACKGROUND AND ADDITIONAL INFORMATION

The ELEA framework has been part of Ashland Municipal Code since 2012. While this has been an effective tool in addressing chronic negative behavior, it has also proven to have some pitfalls that do not allow for officers to efficiently address chronic negative behavior.

FISCAL IMPACTS

The police department has a contract with the Jackson County Sheriff's Office to rent up to three jail beds at a cost of \$110 per night per bed. However, a person arrested under this ordinance is not automatically placed a jail bed pursuant to that contract. An arrest that does not fall under that contract does not incur any additional cost for the City.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff is seeking Council direction on how to proceed, if at all, on changes to the ELEA and other related ordinances.

REFERENCES & ATTACHMENTS

None





Enhanced Law Enforcement Area

Chief Tighe O'Meara
February 19, 2025

Today's conversation

Crime Data

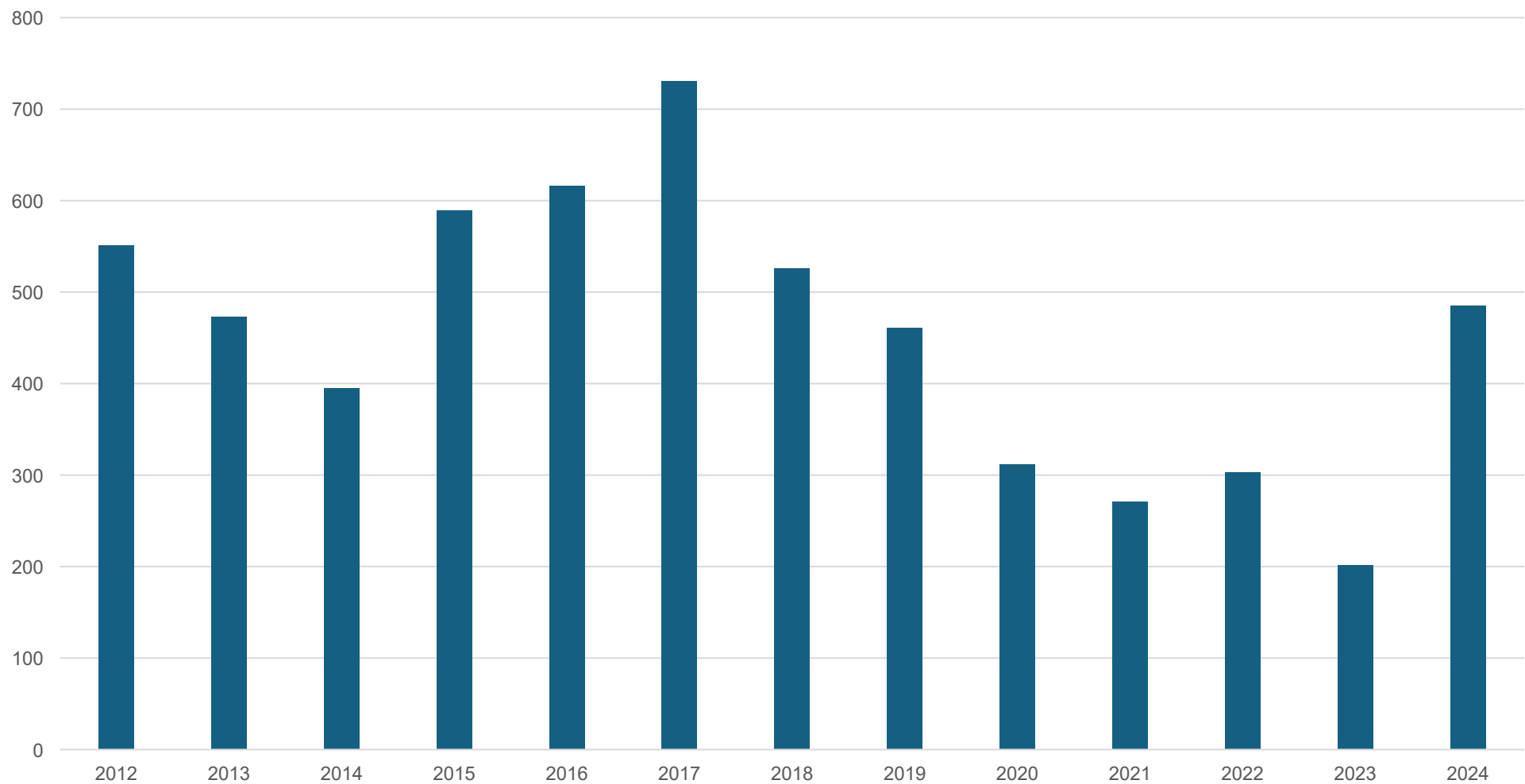
Current Issues with ELEA+potential changes

Legal topics



CAP West Data

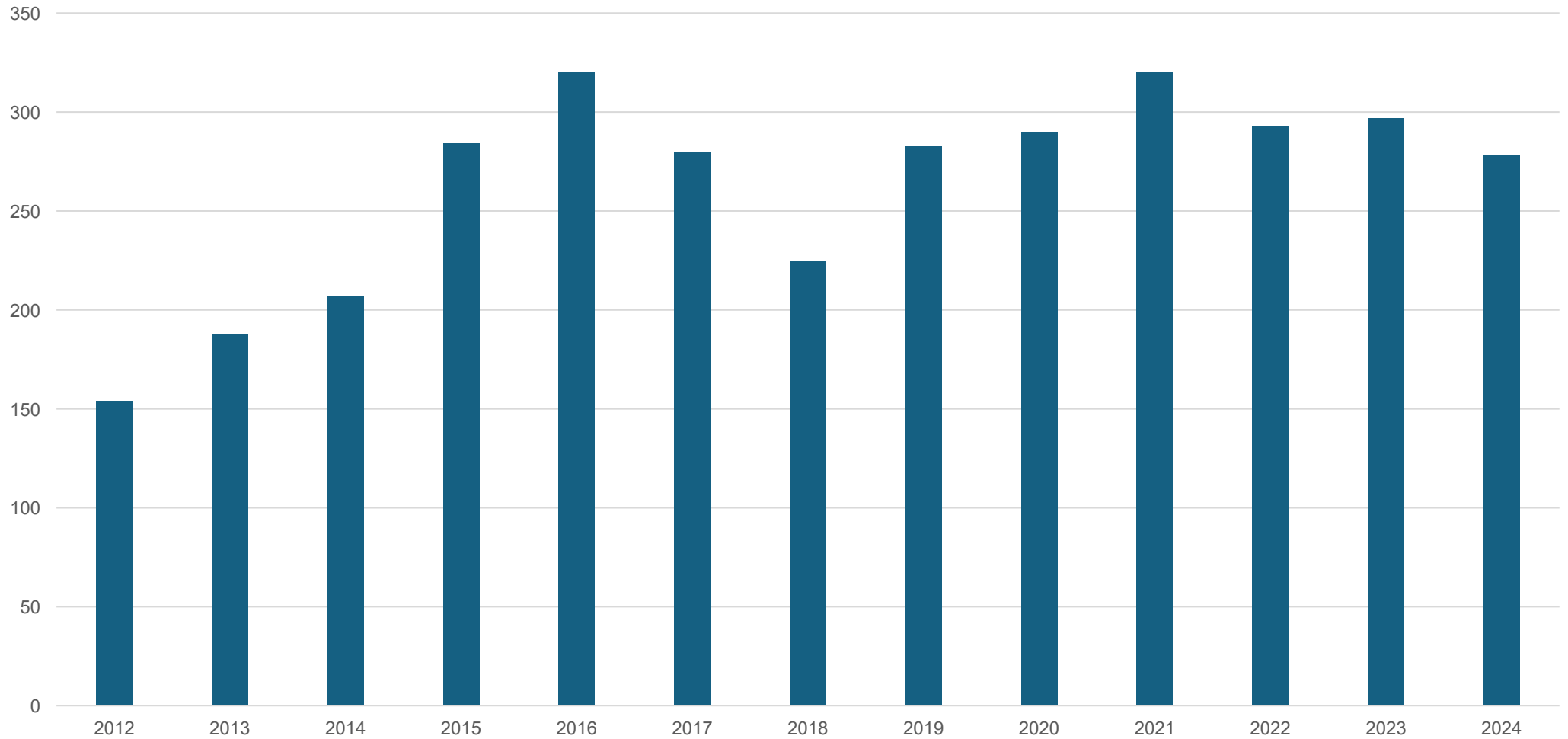
CAP West (Downtown) Assault, DOC, Drug, Harass, LLaWs, Noise, Theft



CAP East Data



CAP East CFS Assault, DOC, Drug, LLaws, Harass, Noise, Theft



Definitions

“Unlawful” does not automatically mean a crime

Crime: something that is unlawful and that might result in a period of incarceration in a jail or prison (e.g. assault, robbery, DUI)

Violation: something that is unlawful that can only result in an administrative sanction (e.g. drinking in public, unnecessary noise, smoking downtown)



Current ord. is based on multiple **convictions**

- 3 or more qualifying violation convictions or at least 2 crime convictions. (Qual. Vio. =scattering rubbish, noise, dogs control, open cont., drinking in public, dog license)
 - This can take at least several weeks, to 2-3 months best case scenario
- There is one person who is chronic offender in the DT area with multiple crime charges pending going back over a year



Current ord. is based on multiple **convictions**

- Examples
 - Person A: if expelled from CAP E in February of 2024 based on an arrest could have avoided 10 additional actions with throughout the rest of 2024
 - Person B: if expelled from CAP E in January of 2024 after 3 qualifying violations could have avoided 11 additional actions throughout the rest of 2024
 - Person C: if expelled from CAP W in January of 2024 after an arrest could have avoided six additional incidents in 2024



Current ord. is based on multiple **convictions**

- Examples
 - Person D: if expelled from CAP E in February of 2024 for an arrest could have avoided 10 additional cases in 2024
 - Person E: if expelled from CAP W in May 2024 after 3 qualifying violation could have avoided eight additional incidents in 2024 including two assault charges
 - Person F: if expelled from CAP E in February of 2024 for an arrest could have avoided eight additional incidents in 2024
 - Person G: if expelled from CAP E in April of 2024 for an arrest could have avoided eight additional incidents in 2024



Proposed changes

- 3 or more violation qualifying charges (violations), expelled on an officer's authority, with an option to appeal to the Judge within 10 days
- 1 or more criminal charges (any court) with option to appeal to the Judge within 10 days

Built in access to shopping, medical, work, services, etc. would only apply if person is "remaining in" and not going to or from

Proposed changes

Officers have had the authority to expel from parks for rules violations for a long time. There has never been a complaint of them targeting anyone or applying that authority inequitably. Like the current and proposed ELEA ord., this authority is reactive to objective behavior witnessed by the officer.

Officers also have the ability to order someone to refrain from stalking a victim, issue a stalking citation which requires an appearance at Circuit Court, and in the meantime prohibits more stalking behavior



Current Appeal



Notice of Expulsion

Warning of Consequences

No person shall knowingly enter or remain in the sleeping area at any time in violation of an expulsion order as issued and served upon the person. Entering the sleeping area in violation of an expulsion order constitutes Criminal Trespass in the Second Degree (ORS 164.245), which is a class C misdemeanor and may result in your arrest.

Appeal Process

The person receiving this notice may appeal within 10 days in accordance with AMC 2.30 to have written notice rescinded or the period shortened. The appeal notice shall include a statement of the nature of the decision being appealed and a short and plain narrative statement, including the reason the original decision is alleged to be incorrect. The written appeal should be delivered to: City Recorder, 20 East Main Street, Ashland, Oregon, 97520.

The Hearing Officer shall uphold the expulsion if, upon de novo review, the preponderance of the evidence convinces the Hearing Officer that, more likely than not, the person in fact committed the crime or violation, and that the expulsion is otherwise in accordance with law.

Unless the basis for the expulsion involves a safety concern, if an appeal of the expulsion is timely filed under AMC 2.30, the effectiveness of the expulsion shall be stayed, pending the outcome of the appeal. If the expulsion is affirmed, the expulsion shall be effective immediately upon issuance of the written decision and then shall commence and run for the specified number of days thereafter.

Expulsion Periods

Any peace officer or city code compliance officer may expel any person who violates any applicable provision of law in the Dusk to Dawn Sleeping Area for a period of up to 30 days but not to exceed six months.





Notice of Expulsion Warning of Consequences

No person shall knowingly enter or remain in any park at any time in violation of a park expulsion order as issued and served upon the person in accordance to AMC 10.68.350. Entering a park in violation of an expulsion order constitutes Criminal Trespass in the Second Degree (ORS 164.245), which is a class C misdemeanor.

Appeal Process

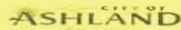
The person receiving this notice may appeal within 10 days in accordance with AMC 2.30 to have written notice rescinded or the period shortened. The appeal notice shall specify the relief sought and the reason for said relief. The written appeal should be delivered to: City Recorder, 20 East Main Street, Ashland, Oregon, 97520.

The Hearing Officer shall uphold the expulsion if, upon de novo review, the preponderance of the evidence convinces the Hearing Officer that, more likely than not, the person in fact committed the crime or violation, and that the expulsion is otherwise in accordance with law. If an appeal of the expulsion is timely filed under AMC 2.30, the effectiveness of the expulsion shall be stayed, pending the outcome of the appeal. If the expulsion is affirmed, the expulsion shall be effective immediately upon issuance of the written decision and then shall commence and run for the specified number of days thereafter.

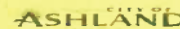
Expulsion Periods

Any peace officer, or park official or city code compliance officer may expel any person who violates any applicable provision of law in a city park from any or all city parks for a period of 30 days for any violation or for a period not to exceed the maximum jail period for any particular criminal offenses. If the person to be expelled from any park has been expelled from a city park on two or more occasions within two years before the date of the present expulsion for criminal offenses, the expulsion shall be for a period not to exceed 180 days.





ASHLAND POLICE DEPT. Tel: 541-482-5211
1155 E. Main St. Fax: 541-488-5351
Ashland, OR 97520 TTY: 800-735-2900



ASHLAND POLICE DEPT. Tel: 541-482-5211
1155 E. Main St. Fax: 541-488-5351
Ashland, OR 97520 TTY: 800-735-2900
www.ashland.or.us

Current AMC and ORS on fires

AMC 10.30.010 Unauthorized Burning-violation

ORS 164.335 Reckless Burning-misdemeanor but can't be charged unless damage to real property has been established



Current AMC and ORS on fires

Elevate AMC 10.30.010 to a Municipal Court misdemeanor



Medford has officer-based expulsions, it has been challenged in federal court and upheld in the case *Bilodeau v. City of Medford*

The same language the federal Judge leaned on to uphold the case has been included in the previous proposed draft.

These cities have some form of expulsion ordinance in place

Brookings
Canby
Corvallis
Cottage Grove
Eugene
Gresham
Hillsboro

Lake Oswego
Lincoln City
McMinnville
Medford
Milwaukie
Oregon City

Reedsport
Roseburg
Salem
Silverton
Tigard
Tualatin

Trying to minimize crimes and calls for service for negative behavior in a way that maintains fairness and equity for all, while allowing the police officers flexibility to address ongoing negative behavior concerns



Clarification

Some people have incorrectly conflated the rented jail beds with persistent violator arrests, these are not the same thing.

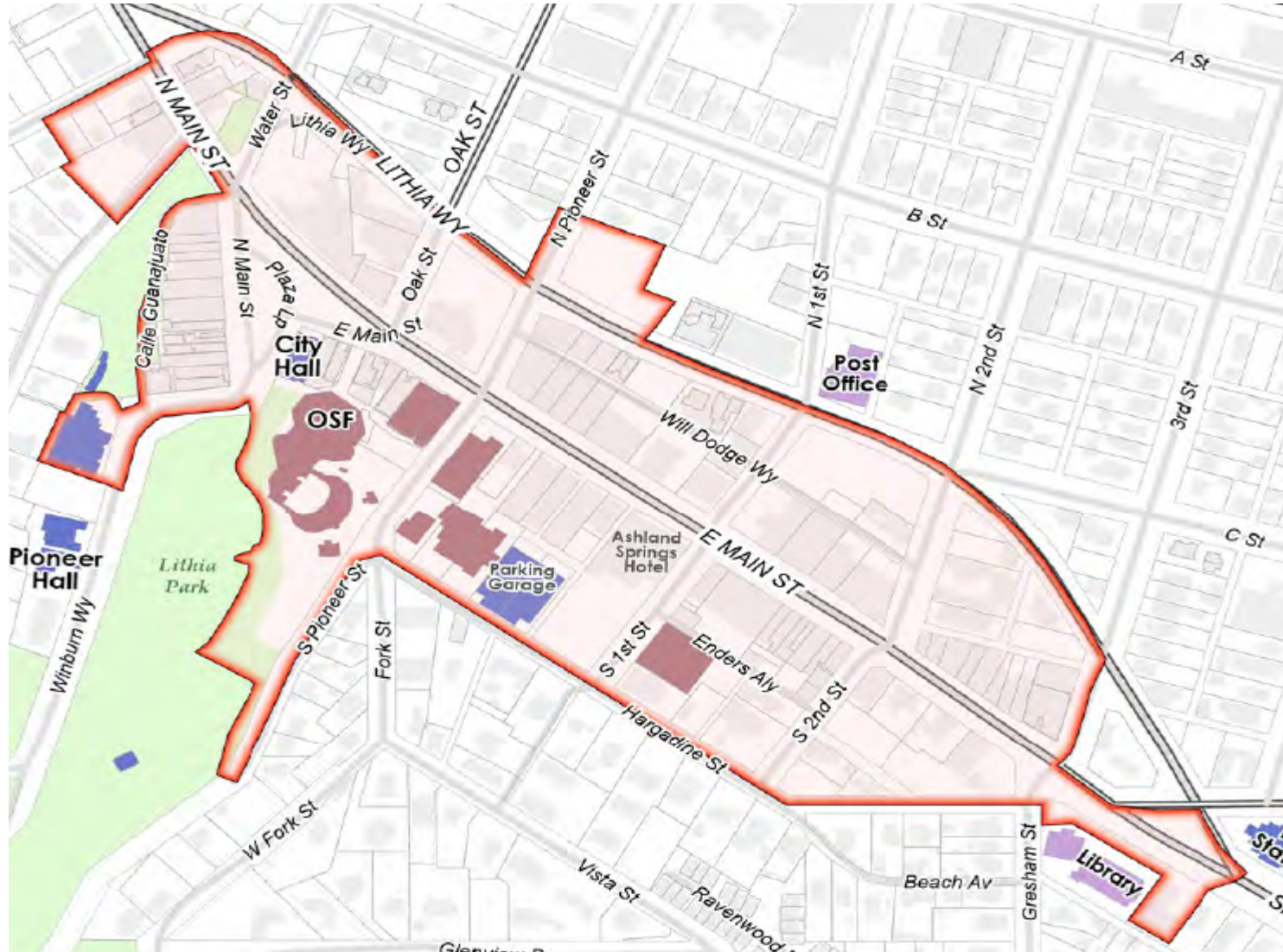


There are four recommendations, which can be taken as a whole or individually:

1. Allow for expulsions on officer's order for 3 or more qualifying violations issued, with judicial review within 10 days if the subject asks for it
open intoxication, drinking in public, marijuana in public, scattering rubbish, unnecessary noise, dogs-control required (note that these are violations anywhere in the City)
2. Allow for crimes charged in an ELEA to lead to expulsion
Misdemeanor 90 days, felony 180 days
3. Elevate unauthorized burning to a municipal court misdemeanor
4. Slight expansion of ELEA West (downtown) area to include the front lawn of the library, and adjacent property, and the park area across the street



Recommended





QUESTIONS?



Council Business Meeting

Date: April 15, 2025

Agenda Item	Proposed Changes to Enhanced Law Enforcement Area Process
From	Tighe O'Meara, Police Chief
Contact	tighe.omeara@ashland.or.us

SUMMARY

Staff is coming back before Council to seek direction on possible changes to the expulsion process within an Enhanced Law Enforcement Area.

POLICIES, PLANS & GOALS SUPPORTED

N/A

BACKGROUND AND ADDITIONAL INFORMATION

Currently, under Ashland Municipal Code (AMC) 10.30.020, a chronic offender may be expelled from an Enhanced Law Enforcement Area (ELEA) after being convicted of at least three qualifying violations, or after being convicted of two crimes and one qualifying violation, or three crimes. While this framework has been a useful tool since its adoption in 2012, it is slow to respond to actual chronic negative behavior. In practice, it allows harmful behavior to go unaddressed while the offender continues to negatively impact the community. It can take several months for a criminal case to move through the court system, and violation-level offenses often take weeks or even months to reach conviction. Until that time, no expulsion can be sought through the municipal court by the City Attorney's Office.

Other communities have adopted expulsion ordinances that allow officers to issue an exclusion after a single qualifying violation—without waiting for a conviction. While that model may work for other jurisdictions, it is not the right approach for Ashland. At the same time, Ashland's current ordinance does not adequately address ongoing negative behavior that diminishes quality of life and creates an unsafe environment for all.

Staff proposes amending the AMC to allow a law enforcement officer to petition the municipal court judge directly for an expulsion order when the officer is aware of at least three qualifying violations committed within an ELEA, or at least one qualifying crime. The officer would present evidence of the substantiated offenses and affirm that the individual had been advised of the potential consequences of continued negative behavior.

Qualifying violations would include:

- AMC 10.40.030 – Consumption of alcoholic liquors in public places
- AMC 9.16.010 – Dogs, control required
- AMC 10.40.030 – Open containers (of alcohol) prohibited
- ORS 475B.381 – Use of marijuana in public place prohibited
- AMC 9.08.110 – Scattering rubbish
- AMC 9.08.170 – Unnecessary noise

Under the proposed procedure, when an officer issues a citation or makes an arrest for a qualifying offense within an ELEA, the officer would also provide the individual with written notice





Council Business Meeting

explaining the potential consequences of continued violations. When the threshold for petitioning the court is met, the officer would submit a request to the municipal court judge, summarizing the prior violations or crimes and confirming that the individual had received the advisory.

If the court issues an expulsion order, the individual would be notified and instructed to leave and not return to the ELEA. The person would have **10 days to appeal** the expulsion order, which would remain in effect unless and until reversed by the court.

The proposed expulsion periods are:

- 60 days for violation-level offenses
- 90 days for misdemeanor-level crimes
- 180 days for felony-level crimes
-

This approach achieves the efficiency that the current system lacks by allowing the City to respond quickly to public safety concerns and chronic behavior—without short-circuiting due process. By placing the decision in the hands of the court, a neutral and independent authority, the proposed process ensures that expulsion is imposed only when the legal threshold is met and that each case is evaluated fairly based on its individual circumstances. It preserves the fundamental rights of the individual while addressing harmful conduct in a timely and responsible manner.

FISCAL IMPACTS

There should not be a financial impact for this change, as the ability to expel a chronic offender already exists. This is a procedural change. There is a perception with some that expulsion order violators are exclusively lodged in jail beds paid for via the City's contract with the County to rent jail beds. This is inaccurate information. Expulsion order violators, like any person arrested for a municipal court misdemeanor, generally do not trigger a rented jail bed.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff requests Council give direction on whether proposed changes should be brought back before Council at a later date,

REFERENCES & ATTACHMENTS

1. ELEA 2.19.25
2. Final ELEA 02192025
3. 2024-11-19 Council Meeting
4. ELEA PP





Council Study Session

Date: February 19, 2025

Agenda Item	Enhanced Law Enforcement Area Changes
From	Tighe O'Meara, Police Chief
Contact	tighe.omeara@ashland.or.us

SUMMARY

Staff is bringing forward information to further the discussion around amending the Enhanced Law Enforcement Area (ELEA) ordinance. Council recently authorized the application of the current ELEA framework to the Ashland Street business corridor. Staff is bringing information in support of modifying the current ordinance to allow for more flexible response for APD officers to address chronic negative behavior.

Legal staff will also bring forward information on other cities' efforts to offer similar solutions, as well as providing options to allow for more tools to address incidents of reckless/unauthorized burning.

POLICIES, PLANS & GOALS SUPPORTED

NA

BACKGROUND AND ADDITIONAL INFORMATION

The ELEA framework has been part of Ashland Municipal Code since 2012. While this has been an effective tool in addressing chronic negative behavior, it has also proven to have some pitfalls that do not allow for officers to efficiently address chronic negative behavior.

FISCAL IMPACTS

The police department has a contract with the Jackson County Sheriff's Office to rent up to three jail beds at a cost of \$110 per night per bed. However, a person arrested under this ordinance is not automatically placed a jail bed pursuant to that contract. An arrest that does not fall under that contract does not incur any additional cost for the City.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff is seeking Council direction on how to proceed, if at all, on changes to the ELEA and other related ordinances.

REFERENCES & ATTACHMENTS

None





Proposed changes AMC 10.120 ELEA

Chief Tighe O'Meara

Charge based expulsion with court review

- 3 or more qualifying violation charges in an ELEA
- 1 or more criminal charge in an ELEA
- Officer presents this information to the court and requests the Muni Court Judge issue an expulsion order for 60, 90 or 180 days
- Defendant has 10 days to appeal

This allows for the more flexible response for the officers that are seeing the same negative behavior, and allows for the judicial review



Areas Covered:

- **Enhanced Law Enforcement Area (“ELEA”) East or West.**

Qualifying Events:

- You may be expelled and temporarily banned from an ELEA if you commit certain crimes or violations.

What Can Get You Expelled:

1. **Violations:** If you are charged with 3 or more of these violations within a 6-month period:
 - Littering (AMC 9.08.110)
 - Unnecessary noise (AMC 9.08.170)
 - Dog control required (AMC 9.16.010)
 - Drinking alcohol in public (AMC 10.40.030)
 - Having an open container of alcohol in public (AMC 10.40.040)
 - Using marijuana in public (ORS 475B.381)
2. **Crimes:** If you are charged with:
 - Any felony crime OR any misdemeanor crime against a person (such as assault, harassment etc.) OR misdemeanor unauthorized burning
 - 2 or more misdemeanors (such as minor theft or trespassing etc.)

How the Ban Process Works:

1. A police officer has cited you with the offenses as noted above
2. The officer will give you notice of the date and time of the hearing at the Ashland Municipal Court (at 1155 E Main Street) to ask the Judge to expel you from the area
3. The officer will present evidence to the Judge regarding the Qualifying Event
4. If you are there, you can argue against the ban and ask for exceptions
5. If you fail to appear and notice was provided, the judge may issue an expulsion order without you being present

Expulsion Details:

- The expulsion lasts between 3 months and 1 year.
- If you are expelled from one ELEA, you may still go to the other ELEA
- You can still enter the area for specific reasons, like:
 - Fixing the issue that got you expelled
 - Going to public meetings
 - Getting essential services (medical, groceries, etc.)
 - Going to work or school
 - Traveling through the area in a bus, car, or bike
 - If you go to the ELEA under such exceptions, it must be in the 'active' pursuit of that exception

Appealing the Ban:

- You can ask for a hearing within 10 days of getting expelled from an ELEA
- The hearing will happen within 10 business days.
- If you ask for a hearing on time, the ban will not start until after the hearing.

Penalties for Violating the Order of Expulsion:

- If you are found to be in violation of an expulsion order, meaning you are in the ELEA while expelled, you may be arrested for trespassing.

ORDINANCE NO. _____

AN ORDINANCE AMENDING AMC SECTION 10.120 ENHANCED LAW ENFORCEMENT AREA AND PERSISTENT VIOLATION

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~**bold lined through**~~, and additions are **bold underlined**.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1.

10.120.1 Enhanced Law Enforcement Area and Persistent Violation

A. It is the intent of the City Council to protect discrete areas within the City that are experiencing increased unlawful activity against becoming an attraction for more such activity and to protect the public against health and welfare hazards posed by persons who are attracted to these areas for opportunity to engage in or to contact others to engage in unlawful activity.

B. The City Council finds that the following geographic areas within the City are particularly affected by unlawful behavior and/or are subject to a disproportionate number of incidents of the unlawful activities comprising persistent violation as defined in AMC 10.120.020 below, and declares each of the following areas to be an enhanced law enforcement area (ELEA):

1. ELEA West (Downtown): As depicted in Exhibit A, attached to the ordinance codified in this section.
2. ELEA East: As depicted in Exhibit B, attached to the ordinance codified in this section.

10.120.2 Qualifying Events.

A. Qualifying Events. A person is subject to a civil expulsion per 10.120.040 from entering ELEA West or ELEA East under the conditions outlined below. Each area (ELEA West and ELEA East) shall have its own separate qualifying events; an expulsion in one area does not automatically apply to the other unless separate facts exist.

A “Qualifying Event” occurs when any of the following conditions are met:

1. Violation. An individual has been issued, but not necessarily convicted of, three or more of the following qualifying violations:
 - a. AMC 9.08.110 – Scattering Rubbish;
 - b. AMC 9.08.170 – Unnecessary Noise;
 - c. AMC 9.16.010 – Dogs – Control Required;

- d. AMC 10.40.030 – Consumption of alcoholic liquors in public places prohibited; or
 - e. AMC 10.40.040 – Open Containers Prohibited; or
 - f. ORS 475B.381 – Use of marijuana in public place prohibited.
2. Crimes. An individual has been lodged or issued criminal citation by a police officer, but not necessarily convicted of, any of the following crimes:
- a. Felonies: One or more felony charges.
 - b. Misdemeanors:
 - i. One or more person crime misdemeanor charge(s) as outlined in OAR 213-003-0001, as that authority may be amended from time to time.
 - ii. One or more misdemeanor unauthorized burning charge(s) per AMC (insert cross reference)
 - iii. Two or more misdemeanor property charges as outlined in Chapter 164.

10.120.3 Process to initiate a Civil Expulsion

- A. Process. If a law enforcement officer has probable cause to believe a person has committed a Qualifying Event that may result in an expulsion from either ELEA West or ELEA East, the officer may request the Ashland Municipal Judge issue an expulsion order under 10.120.040, according to the following steps:
- 1. Provide notice to the charged individual of the date, time, and location the officer intends to request the expulsion.
 - 2. At the time specified in the notice, the officer shall present evidence to justify the expulsion under the terms of this chapter.
 - 3. If a charged individual is present, the Ashland Municipal Judge shall afford the opportunity to (1) contest the expulsion and (2) request any relevant variances should the expulsion order be issued.
 - 4. The expulsion order shall be effective upon personal notice.

10.120.4 Civil Expulsion Order

A. Unless reasonable cause exists to order otherwise, upon the finding that a Qualifying Event exists under 10.120.020 the Court shall enter a judgment expelling the person from the applicable ELEA, as defined in AMC 10.120.010.B, for a period of not less than three (3) months and not more than one (1) year. Any civil expulsion order shall also specify exceptions to the terms of the expulsion from the applicable ELEA, as follows:

- 1. The person expelled may be present in the applicable ELEA for one or more of the following activities:

- a. To actively address or remedy the subject offense if ordered to do so by the Court, perform official governmental business, attend public meetings, or other rights protected by the Oregon or federal constitution.
 - b. To actively pursue or obtain social, medical, pharmaceutical, groceries, or other services reasonably deemed related to the needs of the person not otherwise available outside the applicable ELEA;
 - c. To actively secure or maintain lawful employment or attend registered educational programs;
 - d. Any other variance conditions that might exist under 10.120.5(F).
2. The expelled person is actively traveling through the applicable ELEA. For ELEA West, this travel exception is limited to those traveling in a vehicle or on public transit while using a necessary street or highway to reach a destination outside of the ELEA West area.

10.120.5 Appeal of Expulsion Order; Variance

A. Appeal Process for Expulsion Order:

1. **Right to a Hearing:** A person who receives an expulsion order has the right to request a hearing to challenge the expulsion order, seek a reduction in the expulsion period, or request a variance.

B. Filing a Hearing Request:

1. The request for a hearing must be submitted in writing to the Municipal Court Clerk at Ashland Municipal Court within ten (10) days of receiving the expulsion notice.

C. Scheduling and Conducting the Hearing:

1. The Municipal Court Judge shall conduct the hearing within ten (10) business days of receiving the request.
2. The hearing may be rescheduled for good cause but must be held no later than five (5) additional business days from the rescheduled request.

D. Effect of a Timely Filed Appeal:

1. If an appeal is filed within the specified time, the period of expulsion is stayed pending the outcome of the appeal. If the expulsion order is upheld, the remaining period of expulsion will take effect immediately upon the issuance of the Municipal Court's decision.

E. Burden of Proof and Decision:

1. The City must prove the validity of the expulsion order by a preponderance of the evidence. If the Municipal Court finds that the expulsion order was based on conduct prohibited by AMC 10.120.2 and is otherwise lawful, the court shall uphold the expulsion order.
2. If the court finds that the City has not met its burden of proof or that the expulsion order is unlawful, the court shall rescind the expulsion order.
3. If the court finds the City has met its burden of proof but determines that the length or scope of the expulsion order is unreasonable under the circumstances, the court may issue an order to shorten the expulsion period or allow for a variance.

F. Variance:

1. A court of competent jurisdiction may, at its discretion, grant a variance to an expelled person at any time during the period of expulsion if the person demonstrates by clear and convincing evidence that:
 - a. The person has a legitimate and compelling need to engage in a specific, non-criminal activity within the expulsion area that is unrelated to the behavior leading to the expulsion, such as employment, medical appointments, or caring for a dependent;
 - b. The person resides within the expulsion area and no reasonable alternative housing or accommodation is available outside the area that would allow compliance with the expulsion order;
 - c. The person has a specific and compelling need to obtain essential goods or services that are not reasonably available outside the expulsion area, such as access to unique medical services, prescription medications, or other necessities critical to the person's health or well-being.
 - d. Providing a variance serves the interest of justice, public safety, or public welfare.

10.120.6 Civil Expulsion Penalty

A. Violation. If a person subject to a civil expulsion order is found within the boundary of the applicable ELEA during the expulsion period, that person may be arrested for Criminal Trespass under ORS 164.245.

SECTION 2. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE AMENDING AMC SECTION 10.120 ENHANCED LAW
ENFORCEMENT AREA AND PERSISTENT VIOLATION**

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1.

10.120.010 Enhanced Law Enforcement Area and Persistent Violation

A. It is the intent of the City Council to protect discrete areas within the City that are experiencing increased unlawful activity against becoming an attraction for more such activity and to protect the public against health and welfare hazards posed by persons who are attracted to these areas for opportunity to engage in or to contact others to engage in unlawful activity.

B. The City Council finds that the following geographic areas within the City are particularly affected by unlawful behavior and/or are subject to a disproportionate number of incidents of the unlawful activities comprising persistent violation as defined in AMC 10.120.020 below, and declares each of the following areas to be an enhanced law enforcement area (ELEA):

1. ELEA West (Downtown): As depicted in Exhibit A, attached to the ordinance codified in this section.
2. ELEA East: As depicted in Exhibit B, attached to the ordinance codified in this section.

10.120.020 Qualifying Events.

A. Qualifying Events. A person is subject to a civil expulsion per 10.120.040 from entering ELEA West or ELEA East under the conditions outlined below. Each area (ELEA West and ELEA East) shall have its own separate qualifying events; an expulsion in one area does not automatically apply to the other unless separate facts exist.

A "Qualifying Event" occurs when any of the following conditions are met:

1. Violation. An individual has been issued, but not necessarily convicted of, three or more of ~~any of the following~~ qualifying violations listed below. Upon the issuance of the third violation, a person is subject to a Qualifying Event:
 - a. AMC 9.08.110 – Scattering Rubbish;
 - b. AMC 9.08.170 – Unnecessary Noise;
 - c. AMC 9.16.010 – Dogs – Control Required;

- d. AMC 10.40.030 – Consumption of alcoholic liquors in public places prohibited;
or
- e. AMC 10.40.040 – Open Containers Prohibited; or
- f. ORS 475B.381 – Use of marijuana in public place prohibited.

- 2. Crimes. An ~~person~~ ~~individual~~ has been lodged or issued criminal citation by a police officer, but not necessarily convicted of, any of the following crimes:
 - a. Felonies: One or more felony charges.
 - b. Misdemeanors:
 - i. One or more person crime misdemeanor charge(s) as outlined in OAR 213-003-0001, as that authority may be amended from time to time.
 - ii. One or more misdemeanor unauthorized burning charge(s) per AMC Chapter 10.30. (insert cross reference)
 - iii. Two or more misdemeanor ~~property charges as outlined in Chapter 164.~~

10.120.030 Process to initiate a Civil Expulsion

- A. Process. If a law enforcement officer has probable cause to believe a person has committed a Qualifying Event that may result in an expulsion from either ELEA West or ELEA East, the officer may request the Ashland Municipal Judge issue an expulsion order under 10.120.040, according to the following steps:
 - 1. Provide notice to the charged individual of the date, time, and location the officer intends to request the expulsion.
 - 2. At the time specified in the notice, the officer shall present evidence to justify the expulsion under the terms of this chapter.
 - 3. If a charged individual is present, the Ashland Municipal Judge shall afford the opportunity to (1) contest the expulsion and (2) request any relevant variances should the expulsion order be issued. If a charged individual is not present, the Ashland Municipal Judge may enter a default order.
 - 4. The expulsion order shall be effective upon personal notice.

10.120.040 Civil Expulsion Order

- A. ~~Unless reasonable cause exists to order otherwise, U~~pon a preponderance of ~~on~~ the evidence finding that a Qualifying Event exists under 10.120.020 the Court shall enter a judgment expelling the person from the applicable ELEA, as defined in AMC 10.120.010.B, for a period of not less than three (3) months and not more than one (1) year. Any civil expulsion order shall also specify exceptions to the terms of the expulsion from the applicable ELEA, as follows:
 - 1. The person expelled may be present in the applicable ELEA for one or more of the following activities:

- a. To actively address or remedy the subject offense if ordered to do so by the Court, perform official governmental business, attend public meetings, or other rights protected by the Oregon or federal constitution.
 - b. To actively pursue or obtain social, medical, pharmaceutical, groceries, or other services reasonably deemed related to the needs of the person not otherwise available outside the applicable ELEA;
 - c. To actively secure or maintain lawful employment or attend registered educational programs;
 - d. Any other variance conditions that might exist under 10.120.5(F).
2. The expelled person is actively traveling through the applicable ELEA. For ELEA West, this travel exception is limited to those traveling in a vehicle or on public transit while using a necessary street or highway to reach a destination outside of the ELEA West area.

10.120.050 Appeal of Expulsion Order; Variance

A. Appeal Process for Expulsion Order:

1. Right to a Hearing: A person who receives an expulsion order has the right to request a hearing to challenge the expulsion order, seek a reduction in the expulsion period, or request a variance.
2. Fee Waiver: A person who submits a request for an appeal or variance shall not be subject to any fines related to that request.

Formatted: Indent: Left: 0.5", No bullets or

B. Filing a Hearing Request:

1. The request for a hearing must be submitted in writing to the Municipal Court Clerk at Ashland Municipal Court within ten (10) days of receiving personal notice of the expulsion notice.

C. Scheduling and Conducting the Hearing:

1. The Municipal Court Judge shall conduct the hearing within ten (10) business days of receiving the request.
2. The hearing may be rescheduled for good cause but must be held no later than five (5) additional business days from the rescheduled request.

D. Effect of a Timely Filed Appeal:

1. If an appeal is filed within the specified time, the period of expulsion is stayed pending the outcome of the appeal. If the expulsion order is upheld, the remaining period of

expulsion will take effect immediately upon the issuance of the Municipal Court's decision.

E. Burden of Proof and Decision:

1. The City must prove the validity of the expulsion order by a preponderance of the evidence. If the Municipal Court finds that the expulsion order was based on conduct prohibited by AMC 10.120.2 and is otherwise lawful, the court shall uphold the expulsion order.
2. If the court finds that the City has not met its burden of proof or that the expulsion order is unlawful, the court shall rescind the expulsion order.
3. If the court finds the City has met its burden of proof but determines that the length or scope of the expulsion order is unreasonable under the circumstances, the court may issue an order to shorten the expulsion period or allow for a variance.

F. Variance:

1. A court of competent jurisdiction may, at its discretion, grant a variance to an expelled person individual at any time during the period of expulsion if the person individual demonstrates by clear and convincing evidence that:
 - a. The person individual has a legitimate and compelling need to engage in a specific, non-criminal activity within the expulsion area that is unrelated to the behavior leading to the expulsion, such as employment, medical appointments, or caring for a dependent;
 - b. The person individual resides within the expulsion area and no reasonable alternative housing or accommodation is available outside the area that would allow compliance with the expulsion order;
 - c. The person individual has a specific and compelling need to obtain essential goods or services that are not reasonably available outside the expulsion area, such as access to unique medical services, prescription medications, or other necessities critical to the person individual's health or well-being.
 - d. Providing a variance serves the interest of justice, public safety, or public welfare.

10.120.060 Civil Expulsion Penalty

A. Violation. If an person individual is subject to a civil expulsion order is found within the boundary of the applicable ELEA during the expulsion period, that person individual may be arrested for Criminal Trespass under ORS 164.245.

SECTION 2. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney



Council Study Session

Date: August 4, 2025

Agenda Item	ELEA Ordinance
Department	Police
From	Tighe O'Meara, Police Chief

TIME ESTIMATE

30 minutes

CATEGORY

Staff Direction - provide direction to staff on the body's desired next steps.

SUMMARY

Staff is seeking Council direction on potential changes to the Enhanced Law Enforcement Area (ELEA) process.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

The initial Enhanced Law Enforcement Area was established in 2012 to address chronic negative behavior in the downtown area. In January of 2025 a second ELEA was established along the Ashland Street business corridor to address ongoing negative behavior in that part of the City. This tool has proven to be effective in dealing with chronic negative behavior when the usual court sanctions are not effective.

The current language of the ELEA allows for a person to be expelled only after a conviction for multiple violations or crimes, allowing their ongoing negative behavior to continue while cases make their way through the court system. This can go on for many weeks to several months, or even over a year if a criminal case is drawn out long enough.

Other communities have adopted a more streamlined process that allows officers to directly expel someone based off of a single violation. Staff is not recommending this approach as it would remove the judicial review that the City currently has. Staff is requesting direction on whether Council is open to taking a middle-of-the-road approach, enhancing officers' ability to more quickly address negative behavior, but maintaining the Municipal Judge's role in the decision to expel.

The proposed new language allows for an officer to directly petition the Judge for an expulsion under any of the following circumstances:

-the person has been charged with three or more qualifying violations inside a distinct ELEA within six months.

Qualifying violations would be:

-drinking in public

-open container in public

-smoking marijuana in public

-dog, control required

-scattering rubbish

-unnecessary noise

-Note that only included violation offenses could result in an expulsion, others, such as prohibiting camping and dog license required could not lend themselves toward an expulsion OR

-the person has been charged with two or more misdemeanor crimes (non-person crimes such as trespassing or minor theft) within six months OR

-the person has been charged with unauthorized burning, or a crime against a person (e.g. assault) or a felony





Council Study Session

Staff has previously provided several examples of people whose negative behavior could have been potentially mitigated if officers had the ability to react more quickly than the current process allows. These examples can be found on slides 7 and 8 from the February 19th presentation, attached.

- Person A:** if expelled from CAP E in February of 2024 based on an arrest could have avoided 10 additional actions with throughout the rest of 2024
- Person B:** if expelled from CAP E in January of 2024 after 3 qualifying violations could have avoided 11 additional actions throughout the rest of 2024
- Person C:** if expelled from CAP W in January of 2024 after an arrest could have avoided six additional incidents in 2024
- Person D:** if expelled from CAP E in February of 2024 for an arrest could have avoided 10 additional cases in 2024
- Person E:** if expelled from CAP W in May 2024 after 3 qualifying violation could have avoided eight additional incidents in 2024 including two assault charges
- Person F:** if expelled from CAP E in February of 2024 for an arrest could have avoided eight additional incidents in 2024
- Person G:** if expelled from CAP E in April of 2024 for an arrest could have avoided eight additional incidents in 2024

Under the proposed ordinance, the defendant would be advised at every step of the process that violating the law may result in an expulsion, and would be advised of the officer's intent to seek an expulsion. The defendant would also be advised of the time and place of the expulsion hearing and would be given a chance to argue against the expulsion. The defendant would be given 10 days to appeal the expulsion as well, with the expulsion being stayed pending the appeal.

Under the potential new language, as is also the case with the current language, an expulsion would never interfere with a person's ability to seek and receive social services, go to work or school, or go to a grocery store, pharmacy, doctor's appointment etc.

Attached is the potential new ordinance language, potential new, simplified language for the handout that would accompany each step in this process, as well as council communications and power point slides from November 19, 2024, February 19, 2025 and April 15, 2025

FISCAL IMPACTS

This potential change has no direct financial impact. The City currently has a contract to rent jail beds at the Jackson County Jail, but that program is independent of the ELEA ordinances.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff is seeking direction from Council on whether this potential ordinance change should come back for a first reading in a business meeting.

REFERENCES & ATTACHMENTS

1. 11192024 cc
2. 11192024
3. 021925 cc
4. Final ELEA 02192025
5. 04152025 cc
6. ELEA PP 041525
7. Draft new ELEA pamphlet language 08042025
8. Persistent Violation_August 2025 Draft Ordinance



ORDINANCE NO. 3273

AN ORDINANCE AMENDING AMC SECTION 10.120 ENHANCED LAW ENFORCEMENT AREA AND PERSISTENT VIOLATION

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold-lined through~~, and additions are **bold underlined**.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1.

10.120.010 Enhanced Law Enforcement Area and Persistent Violation, Misdemeanor

A. It is the intent of the City Council to protect discrete areas within the City that are experiencing increased unlawful activity against becoming an attraction for more such activity and to protect the public against health and welfare hazards posed by persons who are attracted to these areas for opportunity to engage in or to contact others to engage in unlawful activity.

B. The City Council finds that the following geographic areas within the City are particularly affected by unlawful behavior and/or are subject to a disproportionate number of incidents of the unlawful activities comprising persistent violation as defined in AMC 10.120.020, and declares each of the following areas to be an enhanced law enforcement area (ELEA):

~~1. Downtown Enhanced Law Enforcement Area (ELEA West)—inclusive of Bill Patton Garden and 130 N. Pioneer Street public parking lot, as depicted in Exhibit A attached to the ordinance codified in this section.~~

1. ELEA West (Downtown): As depicted in Exhibit A, attached to the ordinance codified in this section.

~~2. ELEA East, as depicted in Exhibit B attached to the ordinance codified in this section. (Ord. 3253 § 1, amended, 12/17/2024; Ord. 3142, amended, 04/18/2017; Ord. 3114, amended, 2015; Ord. 3066, added, 06/19/2012)~~

2. ELEA East: As depicted in Exhibit B, attached to the ordinance codified in this section.

~~10.120.020 — A Person Commits the Crime of Persistent Violation If:~~

~~A. The person is convicted in Ashland Municipal Court or other court of competent jurisdiction for any combination of the following crimes or violations occurring in separate incidents solely within ELEA West or solely within ELEA East within a six-month period; provided, that convictions in ELEA West and ELEA East shall be separate and distinct, with each ELEA subject to its own applicable expulsion order:~~

- ~~1. Three (3) or more Class A, B or C felonies or Class A, B or C misdemeanors;~~
- ~~2. Two (2) Class A, B or C felonies or Class A, B, or C misdemeanors plus one (1) or more violations of the sections set forth below;~~

3. ~~Three (3) or more violations of any of the following sections or laws:~~
- ~~a. AMC 9.08.110 – Scattering Rubbish;~~
 - ~~b. AMC 9.08.170 – Unnecessary Noise;~~
 - ~~c. AMC 9.16.010 – Dogs – Control Required;~~
 - ~~d. AMC 10.40.030 – Consumption of alcoholic liquors in public places prohibited;~~
 - ~~or~~
 - ~~e. AMC 10.40.040 – Open Containers Prohibited;~~
 - ~~f. AMC 9.16.015 – Dog License Required; or~~
 - ~~g. ORS 475B.381 – Use of marijuana in public place prohibited.~~

~~B. The person knowingly enters the particular ELEA area in violation of a Municipal Court expulsion order as a term of the person’s probation or a court expulsion order pursuant to AMC 10.125.010 et seq. (Ord. 3253 § 1, amended, 12/17/2024; Ord. 3142, amended, 04/18/2017; Ord. 3113, amended, 2015; Ord. 3066, added, 06/19/2012)~~

10.120.020 Qualifying Events.

A. Qualifying Events. A person is subject to a civil expulsion per 10.120.040 from entering ELEA West or ELEA East under the conditions outlined below . Each area (ELEA West and ELEA East) shall have its own separate qualifying events; an expulsion in one area does not automatically apply to the other unless separate facts exist.

A “Qualifying Event” occurs when, within a six month period, any of the following conditions are met:

1. Violation. An individual has been issued, but not necessarily convicted of, three or more of any of qualifying violations listed below. Upon the issuance of the third violation, a person is subject to a Qualifying Event:
 - a. AMC 9.08.110 – Scattering Rubbish;
 - b. AMC 9.08.170 – Unnecessary Noise;
 - c. AMC 9.16.010 – Dogs – Control Required;
 - d. AMC 10.40.030 – Consumption of alcoholic liquors in public places prohibited; or
 - e. AMC 10.40.040 – Open Containers Prohibited; or
 - f. ORS 475B.381 – Use of marijuana in public place prohibited.
2. Crimes. A person has been lodged or issued criminal citation by a police officer, but not necessarily convicted of, any of the following crimes:
 - a. Felonies: One or more felony charges.
 - b. Misdemeanors:
 - i. One or more person crime misdemeanor charge(s) as outlined in OAR 213-003-0001, as that authority may be amended from time to time.
 - ii. One or more misdemeanor unauthorized burning charge(s) per AMC Chapter 10.30.
 - iii. Two or more misdemeanor charges.

10.120.030 Process to initiate a Civil Expulsion

- A. Process. If a law enforcement officer has probable cause to believe a person has committed a Qualifying Event that may result in an expulsion from either ELEA West or ELEA East, the officer may request the Ashland Municipal Judge issue an expulsion order under 10.120.040, according to the following steps:
1. Provide notice to the charged individual of the date, time, and location the officer intends to request the expulsion.
 2. At the time specified in the notice, the officer shall present evidence to justify the expulsion under the terms of this chapter.
 3. If a charged individual is present, the Ashland Municipal Judge shall afford the opportunity to (1) contest the expulsion and (2) request any relevant variances should the expulsion order be issued. If a charged individual is not present, the Ashland Municipal Judge may enter a default order.
 4. The expulsion order shall be effective upon personal notice.

10.120.040 — Misdemeanor Classification Presumptive Penalty

~~A. Persistent violation is a Class B misdemeanor.~~

~~B. Unless reasonable cause exists to order otherwise, upon a finding of persistent violation under AMC 10.120.020 the Court shall enter a judgment expelling the person from the applicable ELEA, as defined in AMC 10.120.010.B, for a period of not less than three (3) months and not more than one (1) year. Any judgment that includes an expulsion shall also include the following exceptions to the terms of the expulsion from the applicable ELEA:~~

- ~~1. The expelled person is present in the ELEA for one (1) or more of the following activities:~~
 - ~~a. To actively address or remedy the subject offense if ordered to do so by the Court, perform official governmental business, or attend public meetings;~~
 - ~~b. To actively pursue or obtain social, medical, pharmaceutical, groceries, or other services reasonably deemed related to the needs of the person not otherwise available outside the applicable ELEA;~~
 - ~~c. To actively secure or maintain lawful employment or attend registered educational services.~~
- ~~2. The expelled person is actively traveling through the applicable ELEA. For ELEA West, this travel exception is limited to those traveling in a vehicle or on public transit while using a necessary street or highway to reach a destination outside of the ELEA West area.~~

~~C. Upon a showing of good cause, the Court may enter an order limiting the exceptions set forth in subsection B of this section regarding the expelled person's ability to enter the particular ELEA that is the subject of the expulsion order. (Ord. 3253 § 1, amended, 12/17/2024; Ord. 3066, added, 06/19/2012)~~

10.120.040 Civil Expulsion Order

A. Upon a preponderance of the evidence finding that a Qualifying Event exists under 10.120.020 the Court shall enter a judgment expelling the person from the applicable ELEA, as defined in AMC 10.120.010.B, for a period of not less than three (3) months and not more than one (1) year. Any civil expulsion order shall also specify exceptions to the terms of the expulsion from the applicable ELEA, as follows:

- 1. The person expelled may be present in the applicable ELEA for one or more of the following activities:**
 - a. To actively address or remedy the subject offense if ordered to do so by the Court, perform official governmental business, attend public meetings, or other rights protected by the Oregon or federal constitution.**
 - b. To actively pursue or obtain social, medical, pharmaceutical, groceries, or other services reasonably deemed related to the needs of the person not otherwise available outside the applicable ELEA;**
 - c. To actively secure or maintain lawful employment or attend registered educational programs;**
 - d. Any other variance conditions that might exist under 10.120.5(F).**
- 2. The expelled person is actively traveling through the applicable ELEA. For ELEA West, this travel exception is limited to those traveling in a vehicle or on public transit while using a necessary street or highway to reach a destination outside of the ELEA West area.**

10.120.050 Appeal of Expulsion Order; Variance

A. Appeal Process for Expulsion Order:

- 1. Right to a Hearing: A person who receives an expulsion order has the right to request a hearing to challenge the expulsion order, seek a reduction in the expulsion period, or request a variance.**
- 2. Fee Waiver: A person who submits a request for an appeal or variance shall not be subject to any fines related to that request.**

B. Filing a Hearing Request:

- 1. The request for a hearing must be submitted in writing to the Municipal Court Clerk at Ashland Municipal Court within ten (10) days of receiving personal notice of the expulsion notice.**

C. Scheduling and Conducting the Hearing:

- 1. The Municipal Court Judge shall conduct the hearing within ten (10) business days of receiving the request.**
- 2. The hearing may be rescheduled for good cause but must be held no later than five (5) additional business days from the rescheduled request.**

D. Effect of a Timely Filed Appeal:

1. If an appeal is filed within the specified time, the period of expulsion is stayed pending the outcome of the appeal. If the expulsion order is upheld, the remaining period of expulsion will take effect immediately upon the issuance of the Municipal Court's decision.

E. Burden of Proof and Decision:

1. The City must prove the validity of the expulsion order by a preponderance of the evidence. If the Municipal Court finds that the expulsion order was based on conduct prohibited by AMC 10.120.2 and is otherwise lawful, the court shall uphold the expulsion order.
2. If the court finds that the City has not met its burden of proof or that the expulsion order is unlawful, the court shall rescind the expulsion order.
3. If the court finds the City has met its burden of proof but determines that the length or scope of the expulsion order is unreasonable under the circumstances, the court may issue an order to shorten the expulsion period or allow for a variance.

F. Variance:

1. A court of competent jurisdiction may, at its discretion, grant a variance to an expelled person at any time during the period of expulsion if the person demonstrates by clear and convincing evidence that:
 - a. The person has a legitimate and compelling need to engage in a specific, non-criminal activity within the expulsion area that is unrelated to the behavior leading to the expulsion, such as employment, medical appointments, or caring for a dependent;
 - b. The person resides within the expulsion area and no reasonable alternative housing or accommodation is available outside the area that would allow compliance with the expulsion order;
 - c. The person has a specific and compelling need to obtain essential goods or services that are not reasonably available outside the expulsion area, such as access to unique medical services, prescription medications, or other necessities critical to the person's health or well-being.
 - d. Providing a variance serves the interest of justice, public safety, or public welfare.

10.120.060 Civil Expulsion Penalty

A. Violation. If a person is subject to a civil expulsion order is found within the boundary of the applicable ELEA during the expulsion period, that person may be arrested for Criminal Trespass under ORS 164.245.

SECTION 2 Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

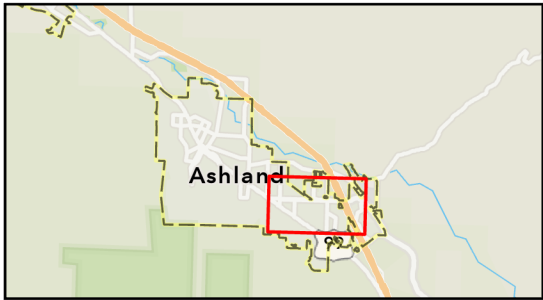
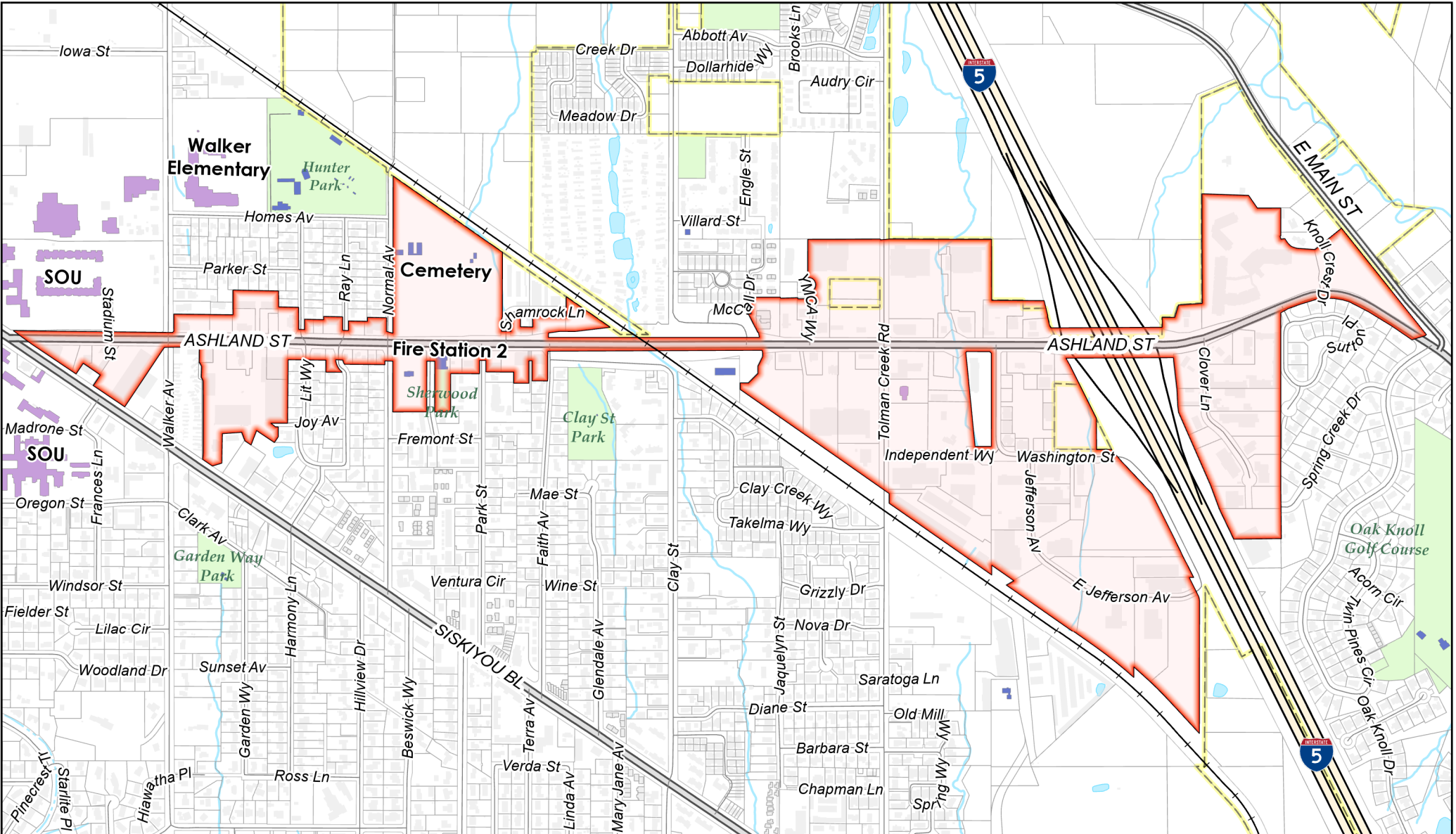
Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

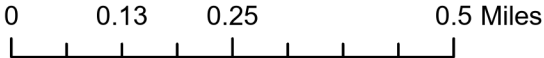
Reviewed as to form:

Johan Pietila, City Attorney



CAP East Enhanced Law Enforcement Area

 CAP East Enhanced Law Enforcement Area

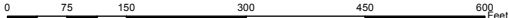




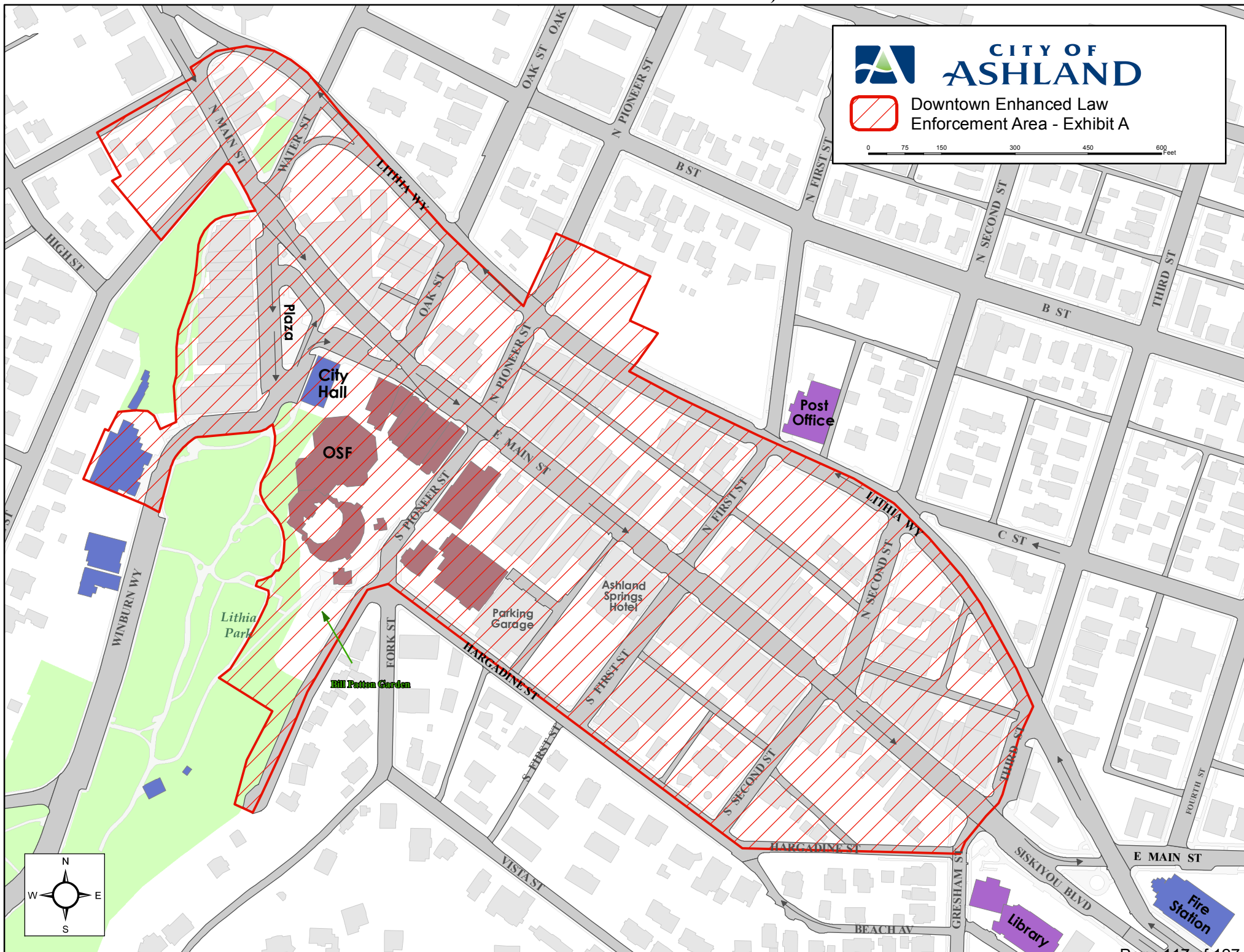
**CITY OF
ASHLAND**



Downtown Enhanced Law
Enforcement Area - Exhibit A



0 75 150 300 450 600 feet





Council Business Meeting

Date: September 16, 2025

Agenda Item	Resolution 2025-26 A Resolution Amending the Fiscal Year 2026 Miscellaneous Fees and Charges Schedule
Department	Finance
From	Rocky Houston, Director Ashland Parks & Recreation , Bryn Morrison, Deputy Finance Director , Alissa Kolodzinski, City Recorder

TIME ESTIMATE

30 Minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

Reviewing and approving amendments to the City's FY26 Miscellaneous Fees and Charges document.

POLICIES, PLANS & GOALS SUPPORTED

Administrative/Governance Goal – *“To ensure ongoing fiscal ability to provide desired and required services at an acceptable level.”*

Council direction to APRD – Become less reliant on the General Fund, improve cost recovery and improve access and affordability to park programs and assets.

BACKGROUND AND ADDITIONAL INFORMATION

The Miscellaneous Fees & Charges Schedule for Fiscal Year 2026 was adopted on May 20, 2025, and amended on July 15, 2025. Staff have identified several additional updates and corrections. This resolution implements those recommended corrections through the amendment of the Miscellaneous Fees & Charges Schedule, as outlined below.

The recommended updates to the Miscellaneous Fees & Charges Schedule are:

- **Municipal Court Fees:** Includes the Municipal Court Fee Schedule as a part of the larger City schedule. This addition helps have all city-associated fees in one location.
- **Clarification on Public Record Request Process:** Adds language clarifying that all public records requests submitted by an individual within a 15-day period will be treated as one larger record request for the purpose of applying research fees. This is to recoup the cost of staff time incurred by responding to a high volume of related records requests.
- **Pioneer Hall and Community Center Rental Fees:** Includes the rental rates for Pioneer Hall and Community Center, which vary based on the weekday, duration, and recurrence of specific rentals.

Determination of Pioneer Hall and Community Center Rental Fees

At the City Council meeting on May 20, 2025, Council directed staff to bring back a revised fee structure for Pioneer Hall and the Community Center, reviewed by the Park Commission, that takes into account "affordability and possible lower rates for cleaning, shared cleaning, and potential longer use."

The Park Commission has reviewed the fees for Pioneer Hall and the Community Center at the following Park Commission study sessions and business meetings: June 4, June 11, July 2, July 9, August 6, and August 13, 2025. In addition to these public meetings where the fees were reviewed, (2) press releases, social media posts, and website postings were issued informing the public of the proposed rates and requesting comments.





Council Business Meeting

The review of public input and engagement led the Park Commission to develop an adopted rate for these two buildings that does not include a cleaning fee. In addition, the fees for use have a 35% and 50% reduction for the first hour available for frequent users to address economic barriers. Lastly, a small meeting room has been developed as a rental space at the Community Center to provide a more affordable option.

The Park Commission adopted the following rates at their August 13, 2025, Business Meeting:

Facility	Original Proposed FY26 Rate	Recommended FY26 Rate		
	Weekday/ Weekend	Rental Volume	Weekday	Weekend/ Holiday
Pioneer Hall	\$60/\$120 + cleaning fee	1-5 6-11 12+	\$125 first hour, \$25 thereafter \$80 first hour, \$25 thereafter \$65 first hour, \$25 thereafter	\$125 first hour, \$40 thereafter
Community Center: Main Room	\$80/\$160 + cleaning fee	1-5 6-11 12+	\$125 first hour, \$35 thereafter \$80 first hour, \$35 thereafter \$65 first hour, \$35 thereafter	\$125 first hour, \$50 thereafter
Community Center: Side Room	N/A	1-5 6-11 12+	\$40 first hour, \$25 thereafter \$40 first hour, \$20 thereafter \$40 first hour, \$15 thereafter	\$50 first hour, \$40 thereafter

REFERENCES

- [May 20, 2025 Council Business Meeting Minutes](#)
- [August 13, 2025 Draft Park Commission Business Meeting Minutes](#)

FISCAL IMPACTS

The current adopted FY26 rates for Pioneer Hall and the Community Center provide the public a lower cost for use, while offsetting a portion of the cost to administer and operate the facilities. These fees are reflective of public input and working to reduce park facilities' burden on general fund resources, and providing affordable access to park facilities. Of note, the Parks Department has other indoor facilities available to rent and at different rates, ensuring a full spectrum of facilities and cost points for the community.

The City Council adopted FY26-27 Budget requires the Department to generate fees for programs and services in order to meet the revenue goals outlined in the budget. The Park Commission adopted fees will assist the Department in meeting those goals.

The inclusion of the Municipal Court Fees and the clarification of the Public Records Request process are to provide clarification to the community and should have no additional fiscal impact.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Proposed Motion — Move to approve Resolution No. 2025-26 to Add Additional Miscellaneous Fees and Charges.

REFERENCES & ATTACHMENTS

1. RESO 2025-26 Amendments to FY26 Miscellaneous Fees and Charges Schedule

RESOLUTION NO. 2025-26

A RESOLUTION AMENDING THE FISCAL YEAR 2026 MISCELLANEOUS FEES AND CHARGES SCHEDULE

RECITALS:

- A. The City of Ashland sets its fees and charges by resolution; and,
- B. The Fiscal Year 2026 Miscellaneous Fees and Charges Schedule was adopted by Resolution 2025-09 on May 20, 2025, and amended by Resolution 2025-24 on July 15, 2025; and,
- C. It is necessary to adjust the City's fees and charges schedule to include missing information, provide clarification, and update certain fees.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The amendments reflected as attached in Exhibit A – Municipal Court Fees, Exhibit B – Clarifications to Research Fee, and Exhibit C – Fees for Pioneer Hall and Community Center are hereby incorporated into the adopted Fiscal Year 2026 Miscellaneous Fees and Charges Schedule.

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, and takes effect upon signing by the Mayor.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

As of July 1, 2025

Municipal Court Miscellaneous Fees and Charges

Fee Description	2025/2026 Fee
Court Administration Fees	
Administrative Appeal fee	\$35.00
<u>Criminal</u>	
City Attorney deferred sentence/diversion	\$60.00
Civil compromise costs	\$75.00
Extend/amend City Attorney deferred sentence/diversion	\$45.00
Failure to appear for bench trial/show cause hearing	\$90.00
Failure to appear for jury trial	\$150.00
Court costs	\$35.00
Show cause admission of allegation	\$25.00
Bench probation fee	\$100.00
Warrant & bank costs	\$25.00
<u>Violation</u>	
Appeal transcript fee	\$10.00
Compliance inspection fee	\$25.00
Default judgment	\$15.00
Failure to appear for bench trial	\$70.00
Court costs	\$45.00
Traffic school program fees	
Tier 1	\$115.00
Tier 2	\$120.00
Tier 3	\$180.00
Tier 4	\$220.00
Tier 5	\$280.00
Tier 6	\$480.00
Presumptive fines	
Tier 1	\$115.00
Tier 2	\$165.00
Tier 3: Special zone enhanced penalty	\$225.00
Tier 4	\$265.00
Tier 5: Special zone enhanced penalty	\$325.00
Tier 6: Special zone enhanced penalty	\$525.00

Nothing in this document is intended to detract from the inherent power of the Court pursuant to general law to impose fees and charges established in state law or city ordinance in addition to the fees and charges specified herein.

Research Fee

A. The City will charge a research fee based on the average of hourly wages from the various salary schedules. For the fiscal year ~~2025~~ **2026**, the hourly research fee will be **\$58.00**, billed in 15-minutes increments. The fee is calculated using the hourly wage, excluding the cost of benefits.

The City will establish a fee in its annual fee resolution that is reasonably calculated to reimburse the City for the cost of making public records available, including locating the requested records, reviewing the records to delete exempt material, redacting protected information, supervising a person's inspection of original documents to protect the integrity of the records, compiling, or tailoring a record, to meet the person's request.

The City may charge for search time even if it fails to locate any records responsive to the requestor or if the records located are subsequently determined to be exempt from disclosure. Copies of documents provided by a routine file search of 15-20 minutes or less will be charged at a copy rate established in the annual fee resolution.

In accordance with Oregon Public Records Law (ORS 192.324–192.440), and to promote efficiency and cost recovery, requests submitted by the same requester within 15 calendar days of a prior request will be considered a single request for the purpose of calculating research fees.

B. The City may charge a fee to reimburse the costs associated with the time spent by the City Attorney in reviewing public records, redacting exempt and non-exempt materials, and determining the application of ORS 192.505.

C. The minimum fee is \$25. Any research estimate above \$25 will be provided in writing to the requester in advance. The requester must confirm in writing that they want the City to proceed with making records available before the work is done.

D. Prepayment is required if the amount of the request is greater than \$25. If the actual charges are less than the prepayment, an overpayment shall be refunded.

Pioneer Hall and Community Center

Fee Description	2025/2026 Fee
Pioneer Hall	
Weekend/Holiday	\$125 first hour, \$40 thereafter
Weekday	
Rental Volume: 1-5	\$125 first hour, \$25 thereafter
Rental Volume: 6-11	\$80 first hour, \$25 thereafter
Rental Volume: 12+	\$65 first hour, \$25 thereafter
Community Center Main Room	
Weekend/Holiday	\$125 first hour, \$50 thereafter
Weekday	
Rental Volume: 1-5	\$125 first hour, \$35 thereafter
Rental Volume: 6-11	\$80 first hour, \$35 thereafter
Rental Volume: 12+	\$65 first hour, \$35 thereafter
Community Center Side Room	
Weekend/Holiday	\$50 first hour, \$40 thereafter
Weekday	
Rental Volume: 1-5	\$40 first hour, \$25 thereafter
Rental Volume: 6-11	\$40 first hour, \$20 thereafter
Rental Volume: 12+	\$40 first hour, \$15 thereafter



City Manager's Report

September Report—9.16.2025

CITY MANAGER'S OFFICE:

- The NEW Ashland **City e-Newsletter** brings it all straight to your inbox. [Sign up Now for City e-News!](#) View the [September 9 issue](#).
- In August, **Ashland.news** published a print edition titled [Fire Edition: What's Your Plan?](#). The guide, which includes **emergency preparedness information from the City of Ashland**, was mailed to all Ashland households.
- The **5th Anniversary of the Almeda Fire** prompted many local stories where City staff were interviewed:
 - Jefferson Public Radio – [Listen In!](#) with **City of Ashland Emergency Management Coordinator Kelly Burns** and **City of Ashland Interim Fire Chief Marshall Rasor**
 - KOBI – [Watch it!](#) with Kelly Burns
- Preparation for a **Community Evacuation Drill on October 11** is underway. Information will be available at ashlandoregon.gov/BetterPrepared. (Registration will be required.)
- **As of September 11, 2025, the City has activated a Cooling Center 12 times this season in response to temperatures in Ashland exceeding 95°F.** The centers were managed by community partners, including Avram Saks, Southern Oregon Jobs with Justice, and OHRA (Opportunities for Housing, Resources, and Assistance). Locations included the Ashland Library, Trinity Episcopal Church and the Geos Institute.
- The City provides **archives of public meeting broadcasts**. You can also watch recordings of educational programs provided by the City, including **OLLI (Osher Lifelong Learning Institute) classes—Civics 101 and Show Me the Money!**—and the **Better Prepared Wildfire Series**. Take this opportunity to learn more about how local government works and being prepared for wildfire season!
 - Ashlandoregon.gov/WatchMeeting
 - ashlandoregon.gov/OLLI (Osher Lifelong Learning Institute at Southern Oregon University)
 - ashlandoregon.gov/BetterPreparedSeries
- **Office Hours at City Hall:**
 - **Councilor Jeff Dahle** – 3rd Monday of each month from 2 to 3:30 p.m.
 - **Councilor Bob Kaplan** – 1st Monday of each month from 1 to 2:30 p.m.
 - **Councilor Gina DuQuenne** – 1st Thursday of each month from Noon to 1:30 p.m.
 - **City Manager Sabrina Cotta** – Thursday each week from 8:30 to 10 a.m.

Office hours exclude holidays.
- **Coffee & Conversation** gatherings are wrapping up for the season. Don't miss the last one of the year, Tuesday, October 14, 2:30 p.m. at the North Mountain Pak Pavilion. This will be an opportunity for residents to connect with elected officials and staff. The meetings are informal with no set agenda.
- **Are you signed up for emergency alerts with JACKSON ALERTS?** The City partners with Jackson County under one alert messaging system called JACKSON ALERTS. Sign up your whole family by visiting [ashlandoregon.gov /Alerts](http://ashlandoregon.gov/Alerts).

ELECTRIC:

- [The Federal EV rebate](#) is expiring soon – Act now!





City Manager's Report

FINANCE and DEPARTMENT OF INNOVATION & TECHNOLOGY:

- **AFN** (Ashland Fiber Network) is working on fiber service to the 45-unit Donald E Lewis retirement community.
- Switch upgrades continue throughout the City **updating the City's IT infrastructure.**

FIRE:

- Sign up for **non-emergency notifications about controlled burns and wildfire smoke.** Join the City's Watershed group by texting **WATERSHED** to **888777.**
- Completed trench training.
- Several individuals have returned from a 7-day deployment to the **Flat Fire.**
- Join Ashland Fire & Rescue on **Friday, October 10,** 2 to 6 p.m. at Fire Station No. 2 for tours, fire safety education and community connection during **Fire Prevention Week!**
- As of September 11, the **fire danger for Ashland decreased from extreme to HIGH.** Restrictions on gas-powered equipment are still in effect. Please review the current guidelines and do your part to help keep our community safe! [View Restrictions.](#)
- **CERT Training** in late September, early October. Sign up and learn more at ashlandcert.org.

HUMAN RESOURCES:

- **Tentative agreements have been reached with the Fire Union and Police Sergeants Union.** Contracts will be going to City Council September/October timeframe.

PARKS & RECREATION (APRD–Ashland Parks & Recreation Department):

- The **Fall PlayGuide** is out! The fall edition features events and programs held September through December 2025. There is something for every age from youth through senior. To register visit ashlandoregon.gov/register.
- The Parks and Recreation Department is in the process of **hiring an Administrative Assistant and a Parks Tech I.**
- **Upcoming Public Meetings for APRD:**
 - **PROS (Parks, Recreation, Open Space and Senior Services) Plan Second Community Meeting September 17, 2025, 5:30 p.m.,** at the Ashland Senior Center, 1699 Homes Avenue.
 - **Hunter Park Tennis Court Renovation Project Meeting September 24, 5 p.m.** at the Ashland Senior Center, 1699 Homes Avenue.
- **Upcoming FREE Community Concert, September 22, 6 to 9 p.m., Sean Hayes,** sponsored by *Ashland Folk Collective.*
- **Cheryl de Saram, Administrative Assistant** at the Ashland Senior Center, and **Kirsten Came, Environmental Education Manager at the North Mountain Park Nature Center,** staffed the APRD information table at the **OLLI (Osher Lifelong Learning Institute) Open House on August 6.**
- **Ashland Senior Services' annual Ice Cream Social for Seniors & Their Families was held on August 13,** in Hunter Park. Live music was provided by Ashland Brass. Event sponsors were Bristol Hospice and Village at Valley View.





City Manager's Report



Annual Ice Cream Social at the Ashland Senior Center

PUBLIC WORKS:

- TID (Talent Irrigation District) will be shut down for the season as of September 29.
- Wastewater has cleaned an oxidation ditch, which has not been done in recent history.



Cleaned out oxidation ditch at the City of Ashland Wastewater Treatment Plant



City Manager's Report

WHAT'S COMING UP?

- **Silent Disco in Lithia Park, 1st & 3rd Fridays thru October.** Come experience music in a whole new way! Silent Disco has wireless headphones which lets you choose between multiple channels of Live DJs in an immersive and unforgettable experience for the whole family! Celebrate the diversity and uniqueness of Ashland with Silent Disco in the Park! First & Third Fridays | May through October | 6 to 11 p.m. | \$10 for headphones.
- **Otsukimi Event, Moon Gazing Festival, Sunday, October 5,** 5 to 7:30 p.m. in the Ashland Japanese Garden in Lithia Park. More at ashlandjapanesegarden.org.
- **Return of the Salmon, Field Day, Saturday, October 18,** 10 a.m. to 2 p.m. at North Mountain Park. [Learn more.](#)

