

ASHLAND CLIMATE POLICY COMMISSION

Meeting Agenda

January 9, 2020 – 4:00 to 6:00 PM

Community Development Building, Siskiyou Room
51 Winburn Way

- 1. Call to Order**
- 2. Consent Agenda**
 - 2.1. December 12, 2019 Minutes
- 3. Announcements**
 - 3.1. Next Meeting: February 13, 2020
 - 3.2. Water Treatment Plant Update Memo
 - 3.3. Other Announcements from Commissioners
- 4. Public Forum** to be evenly divided by public wishing to speak (10 min)
- 5. Reports/Presentations**
- 6. Old Business**
 - 6.1. Subcommittee Updates
 - 6.1.1. Utilities
 - 6.1.2. Built Environment
 - 6.1.3. Administrative/Planning
 - 6.2. Possible Climate Emergency Declaration and initial list of climate asks for the Council
- 7. New Business**
 - 7.1. Outreach Process
 - 7.2. Built Environment Work Program Update
 - 7.3. Bicycle Transportation Memo
 - 7.4. Natural Gas Phase-out Ordinance
 - 7.5. Gas Blower Ordinance
- 8. Wrap Up**
 - 8.1. Items to be added to next agenda

Climate Policy Commission

The Climate Policy Commission shall provide climate plan implementation process oversight and recommend updates to the CEAP in pursuit of meeting the climate recovery goals, objectives, and targets set forth in AMC Chapter 9.40.

The Climate Policy Commission shall reflect and represent a wide range of community interests and perspectives. Such interests shall include, but not be limited to, environmental, energy efficiency, renewable energy, academic, business, low income, health, communities of color, and elderly interests.

Powers and Duties

- A. Develop recommendations for the City of Ashland's Climate and Energy Action Plan (CEAP) and any updates to the CEAP.
- B. Recommend modifications to benchmarks, targets, or actions contained in the climate plan as needed to incorporate the best available science and practices to achieve the City of Ashland's climate-related goals and targets.
- C. Manage a process for considering amendments and updates to the CEAP.
- D. Monitor and make recommendations on the implementation of the CEAP for the community and for City operations
- E. Periodically review progress toward achievement of the CEAP's Greenhouse Gases (GHG) and fossil fuels reduction targets.
- F. Recommend changes in City ordinances, administrative rules, and processes that facilitate or incentivize residents and businesses to reduce GHG emissions.
- G. Work to ensure that the CEAP incorporates long-term social, economic, and environmental goals.
- H. Work to ensure that the CEAP is socially equitable for all community members including low-income, young people, persons of color, the elderly, and those living with disabilities.

DRAFT MINUTES FOR THE CLIMATE POLICY COMMISSION

December 12, 2019 4 to 6 p.m.

Siskiyou Room, 51 Winburn Way

1. Call to Order

Chair Tonya Graham called the meeting to order at 4:07 p.m. Commissioners Rick Barth, Julian Bell, Zander Huston, Ray Mallette, Gary Shaff, and Les Stone were present at the meeting. Commissioner Chris Brown arrived later as he has a meeting conflict. Commissioner Talia Shea was absent for the meeting. Staff members Stu Green and Adam Hanks were also present.

2. Consent Agenda

2.1. November 14, 2019 Minutes

Barth asked that a correction be made under Section 6.3 stating that the Commission needs to further discuss with staff its involvement in the (Electric) Comprehensive Plan. Bell/Barth moved/seconded approval for the minutes with the changes discussed. Further discussion: None. All ayes. Motion passed unanimously.

3. Announcements

3.1. Next Meeting: January 9, 2020

Graham announced that she will be absent from the next meeting and Vice Chair Barth will take over.

3.2. Other Announcements from Commissioners

Graham announced that the Council approved a resolution supporting a strengthened 2021 International Energy Conservation Code (IECC), which influences updates to the State Building Codes. Advocacy is possible at the state level after IECC adoption.

4. Public Forum

Huelz Gutcheon, Ashland, OR – apologized for a recent public forum speech he gave at a City Council meeting where he missed a sentence and implied that the Climate Policy Commission (CPC) was something it was not. He would like to become Community Development Director and require electric vehicle (EV) wiring for homes.

5. Reports/Presentations

6. Old Business

6.1. Working Group Updates – discussion and finalization of working group priorities

6.1.1. Utilities

Mallette summarized the Utilities group's plan for 2020 (6 to 12 months' update) which includes:

- Creating an Electric Master Plan focusing on reasonable rates, resilience, safety, reliability, and minimizing Greenhouse Gas (GHG) emissions;
- Focusing on Climate Energy and Action Plan (CEAP) goals and requirements including measurements of GHG, mitigation, adaptation, needs for the electrical grid and emergency planning;
- Reducing Natural Gas usage and that impact on the Avista contract; and
- Researching what model cities have done for bans, reductions, or phase outs of GHG.

Chris Brown arrived 4:21 p.m.

The Commission requested that the Utilities group also look into the Water Master Plan going before Council in 2020. The group also plans to look at Sewer and Waste Management plans, but will focus on those in the long term. Another request was placing CEAP within the Comprehensive Plan similar to what the City of Talent is doing. This could be done during the CEAP update in September.

6.1.2. Built Environment

Shaff described the three categories the Built Environment decided upon:

- Two-month work plan
 - Researching details on banning or phasing out landscaping equipment and new Natural Gas furnaces, water heaters, and fireplaces.

This could begin with new residential only and expand to commercial once an incentive plan is in place. The group hopes to bring these back as ordinances for the Commission to approve for eventual Council consideration. Brown stated that stakeholder groups will be affected including schools and the hospital which rely on natural gas as a backup power source. The Commission would like to focus on phasing out instead of an outright ban. This could also be included in the potential emergency declaration from Council.

- Three to six months
 - Making bicycling a safe mode of travel

Strategies for this will need to be incorporated with the Transportation System Plan (TSP).

- Seven to twelve months
 - Requiring building energy performance score program for existing structures;
 - Adopting CEAP as element of the Comprehensive plan;
 - Developing a budget for incentives including identifying the revenue source; and
 - Developing the group's work plan for 2021 and 2022.

The Commission wanted the group to take up:

- Requiring Electric Vehicle (EV) ready wiring for multi-family and commercial construction; and
- Adding collaboration with Rocky Mountain Institute to include training on rental and residential efficiency standards.

6.1.3. Administrative/Planning

Graham announced the three primary tasks of the group: coordinate with Conservation and Climate Outreach Commission (CCOC), shepherd requests to Council, and the CEAP update in September. Actions for achieving these goals include:

- Meeting with the Chair and Vice Chair of CCOC every two months;
- Meeting with all members of both Commissions every six months;
- Subscribing to website updates for agenda and minutes of the other Commission;
- Asking for initial guidance from CCOC for work tasks for them. Some suggestions of potential CCOC tasks from the Administrative/Planning group include:
 - Developing a dedicated website to track progress and engage the public;
 - Researching public engagement needed for CEAP update; and
 - Creating a presentation video based on the current CCOC presentation template to train internal staff.

6.2. Working Group Logistics – meeting time, public notices, meeting notes

Discussed after Section 6.3.

6.3. Possible Climate Emergency Declaration and initial list of climate asks for the Council

The initial list for Council includes:

1. Direct staff to collaborate on the creation of the Electric Utility Master Plan;
2. Direct staff to incorporate CEAP in all plans and projects including Capital Improvements Projects (CIP);

Details for this item included investigating the City of Eugene's process, each planning action and City project to have CPC review and comments at a determined threshold, and recommending a CPC member be appointed as a liaison to the Planning Commission or project body. Suggestions also included a checklist for planning and project bodies and including CEAP within the Comprehensive Plan.

3. Require Council, Commissions, and ad hoc Committees to incorporate CEAP goals in their decisions including training or educating these members on CEAP;
4. Prioritize climate action in budget processes;
5. Providing web development funds for a separate climate website for outreach and progress tracking;

Currently, there is tracking of CEAP progress on the City website, but this could evolve into a separate website with more opportunities for public engagement when funding is available.

6. Implement efficiency requirements on City facilities and fleet in addition to a City facilities water audit;
7. Require climate training for staff and climate knowledge requirements for lead position job descriptions. This will also include asking for feedback from staff about what requirements they must meet for their projects.

Bell/Barth moved/seconded to confirm the recommendations for the three groups as a plan for moving forward. Further discussion: none. All ayes. Motion passed unanimously.

Graham referred back to Section 6.2 Working Group Logistics. The groups will now become Subcommittees, which requires noticing of their meetings and notes provided back to the Commission. Green reserved the first and third Mondays from 3 to 4 p.m. in the Siskiyou Room for Subcommittees to meet. If a Subcommittee chose one of these dates, staff still needs to be informed to notice the meeting.

6.4. Process to add residents to working groups

Graham stated that after speaking with the City Attorney that the Subcommittees can have residents who are not on the CPC added to them. The Commission as a whole would appoint these resident members at one of their regular meetings.

7. New Business

8. Wrap Up

8.1. Items to be added to next agenda

Graham requested that the climate emergency declaration with an initial list for Council action be placed on the January CPC agenda.

Chair Graham adjourned the meeting at 6:02 p.m.

Respectfully submitted,

Elizabeth Taylor, Executive Assistant

Memo

To: Climate Policy Commissioners

From: Tonya Graham

Date: January 4, 2020

Re: Update and thoughts for January 9 meeting

Water Treatment Plant Update

Council has responded to the requests by both the Climate Policy Commission and the Conservation and Climate Outreach Commission to effectively address climate change in the Water Treatment Plant process. Staff was bringing this project plan forward having completed the initial design comparisons with a request to expend the funding necessary to get to 60% with the selected alternative for the plant.

The initial designs brought forward by staff included solar production at the site capped at the 200KW threshold from the Bonneville contract where additional capacity creates a financial penalty. Staff also identified the Envision program of the Institute for Sustainable Infrastructure. It is a program very similar to LEED, but for major infrastructure projects like our water treatment facility.

The Council responded at that meeting and at a subsequent meeting by directing staff to move forward to 60% design with the goal of reaching Envision platinum certification (the highest) with a focus on getting certification points through energy efficiency and renewable energy production. Council also lifted the 200KW threshold and instructed staff to determine what it would take to maximize solar production at the water treatment facility site.

Maximized solar production can be used generally to help operate the water treatment plant, but will also be crucial to keep our water system operational in the event of a natural disaster that affects our grid for an extended period of time (Cascadia event, etc.).

Thoughts on agenda items for the January 9 meeting

As we move along toward bringing policy proposals forward to Council, we need to think about the work in the community that will need to be done in association with those proposals to secure public support and keep opposition to a minimum. That will often mean engaging with those who are directly impacted by the policy proposal. In my mind, this is just good public policy development because having a good idea of how a

policy will impact different segments of the population allows us to design the policy and the timing rollout in a way that works well for those who are disproportionately impacted by different policies. It also allows the Council to pass those policy recommendations without too much trouble.

While we want to move with urgency, we also want to ensure that the public education/engagement effort has been done so that the community understands why a policy is needed and those affected have been consulted. This is coming up for the first time for our commission regarding a small engine ordinance that will primarily affect yard maintenance machinery. How the Commission decides to move forward with this will likely set the precedent for how we approach this part of the process going forward so I want to express my support for the next step being to engage the landscape industry regarding the potential ordinance.

In terms of a Climate Emergency Declaration, I would like to see the CPC either put forward a Climate Emergency Declaration that includes the list of asks for Council or to decide not to do a declaration at all. Declarations take the time and consideration of the Council, so if the Commission is going to put it forward, it seems to me that there should be specific commitments included in the declaration.

Attendance

Commission members Rick Barth, Ray Mallette, and Les Stone were present. Commission member Talia Shea attended by phone. Staff member Stu Green was present.

Meeting Goal

The purpose of the meeting was to discuss and document the short term and longer term work items for electrical, gas and water. Further to assign target dates and owners to the work items. Since the new water master plan is up for approval early in Q1 2020 it was decided to focus our short term actions on review of and recommendations for it.

Work Group Meeting Schedule

The 4th Thursday of the month from 4-5 is the standing meeting schedule for the utilities work group. The next meeting is 1/23/20. A location still needs to be selected.

Water Master Plan

At the 12/12/19 CPC meeting it was announced that there is a council study session planned for 1/6/20 addressing the water master plan. The plan will be reviewed, some of us will attend the study session, and we will propose changes to incorporate CEAP into the plan. The water master plan may have valid population growth forecasts (p 3-4) and future water demand with and without conservation (p 4-21 and 4-22) but the new water treatment plant is planned above those demands (p 5-5 and fig 5-1) by +1MGD (7.5 vs. 6.5) and +2MGD (7.5 vs 5.5) with conservation leading to the supply recommendations on p 5-9. Further, it is not clear what population data was used to plan for the expansion to 10MGD. It would be useful to understand the reasoning behind the planned design capacity above the demand projections.

Relevant CEAP sections were discussed particularly the Natural Systems section beginning on p. 82. Specific references include:

1. p. 83
2. p. 86
3. p. 102 CC-3-2

In https://www.ashland.or.us/files/2019_Water_Master_Plan_Update.pdf page 5-6 contains the section that refers to climate change. This section is a good place to make a connection to our climate goals and commitments. The earliest expected date for council approval of the water master plan is 2/4/20.

Water Treatment Plant

At the 9/12/19 CPC meeting a motion was made and passed to request that the Council postpone their final decision on the Water Treatment Plant until a more detailed assessment of a GHG footprint for the proposed plan is taken. A similar request was made by CCOC. Staff included a memo describing these requests in the 10/1/19 council meeting packet. The utility work group raised concern that the water treatment plant final engineering plan was approved by council at the 10/1/19 meeting. A request was made to bring this to the CPC chair's attention.

Subsequent to the 12/16/19 work group meeting the council agenda (https://www.ashland.or.us/SIB/files/100119_Award_of_a_Professional_Services_Contract_WTP_CCFinal.pdf) and minutes for the 10/1/19 meeting (<https://www.ashland.or.us/Agendas.asp?AMID=7384&Display=Minutes>) were reviewed. p. 11 of https://www.ashland.or.us/Files/Ashland_Basis_of_Design_Rpt.pdf refers to the 2019

water master plan projections as the basis for the design capacity. In https://www.ashland.or.us/files/2019_Water_Master_Plan_Update.pdf p. 4-22 has Chart 4-15 which summarizes Maximum Day Demand Projections. Note that p. 2 of https://www.ashland.or.us/SIB/files/100119_Award_of_a_Professional_Services_Contract_WTP_CCFinal.pdf directly refers to CEAP.

It is not clear what, if any, work item, e.g. GHG footprint analysis, the work group should be pursuing with respect to the water treatment plant.

Climate Policy Commission
Built Environment Subcommittee
1/3/20 Meeting Notes

Attendance

James McGinnis – Conservation and Climate Outreach Commission
Torren McKnight – Fridaysforfuture
Rhiannon Thoeurer – Fridaysforfuture
Julian Bell – CPC, APRC
Gary Shaff – CPC
Huelz Gutcheon - Citizen
Stu Green – City of Ashland

Notes

Meeting was arranged by Bell and Shaff, Christopher Brown was invited but was unable to attend, the meeting was publicly noticed, members of the city staff were also invited. The meeting was opened by Bell, who also took notes which were supplemented with input of notes from Shaff and McGinnis. Meeting held downstairs at Mix Bakeshop

Introductions were made.

The agenda was described;

- 1 Q: ‘Are we supposed to be offering the City Council (CC) goals that we think are politically achievable or that we think will put us on a linear path to decarbonizing our city by a specific date – 5 years from now or 10 years from now
- 2 Should we declare a climate emergency?
 - a. If so does this mean that the CPC should work on a process to revise the Avista agreement
- 3 Revisit ban on methane infrastructure in new construction
- 4 Discuss a possible suite of new renewable energy ready standards for new construction
- 5 Review bicycle / active transport goals for the city
- 6 Recognize the CPCs approval of the memo to the Revitalize Downtown Group regarding bicycle / economic development in the downtown
- 7 Endorse the use of the Berkeley CA NG ordinance as the basis for the city’s NG (methane gas / ‘natural gas’) phaseout ordinance
- 8 Recommend the CPCs approval of the Gasoline Powered Blower Phase-out Ordinance and ask the city council to schedule a work session to review same.
- 9 Add outreach and coordination with SOU and Ashland School District on future phase out of NG (Methane gas) (3 to 12 month goal).

Item 1: Per Green, the CPC can make either kind of recommendation. Also, the CPC can recommend the CC look at a topic in simple terms, such as for instance, “ensure all new construction is provided with appropriate wiring for electric vehicle charging” or could present the CC with a detailed draft of an ordinance that uses other cities ordinances as a guide and may not need a lot of modification by the CC, and the second of these two approaches is likely to lead to faster uptake of new policies. Also politically achievable goals are more politically achievable vs goals that aren’t.

Bell noted that at the moment things that City Council members have been used to being unachievable may have become achievable.

Climate Policy Commission
Built Environment Subcommittee
1/3/20 Meeting Notes

Item 2: Much discussion by most of the attendees. McGinnis noted that there have been multiple ‘declarations’ of environmental crisis of different levels of urgency going back at least as far as Ashland’s “Valdez Principles”, but none of these have included clear mandates (policy) to do specific things. So although McGinnis had suggested declaring a climate emergency at a prior meeting, he now thought that it may not be of great value.

Green noted that the CEAP was to some extent a climate emergency declaration.

Shaff agreed; without some specific policy steps, the declaration itself is meaningless. Therefore, he was not in favor of declaring a climate emergency, but instead working on the policies that would follow from this declaration and proceeding from there.

Generally, the group agreed with this. The group also agreed that it wasn’t up to the built environment subcommittee to declare a climate emergency although the Built Environment Subcommittee could be ready with suggestions to be implemented at such time as a climate emergency was declared.

Item 2a: Green noted that any work that related to the Avista contract generally belonged with the “Utilities” subcommittee of the CPC, which was taking this idea forward.

Item 3: Shaff noted that since the utilities subcommittee was tasked with the Avista Utility itself and the franchise agreement, it made more sense for the Built Environment subcommittee to consider the demand for methane gas rather than the supply. As such this task was mostly captured by the existing task already outlined by item: “Phase out the installation of new natural gas furnaces, fire places and boilers”.

Green noted that the city was not able to tell people what to buy but could incentivize residents purchasing a preferred item. Green also noted that the money available for such incentives is currently very limited.

Huelz reported that at least some appliances that use electricity are less expensive than ones that use methane gas / NG.

The group agreed

Item 4: Bell suggested that there were several renewable energy / electricity standards that new construction could include that would make transitioning to clean energy easier. However, he did not have a detailed list ready at that point. Some of these might be a dedicated area of new roofs that would be oriented for solar electricity, EV charging ready wiring.

Green noted that there was already an ordinance protecting the solar access of each property – and that this ordinance was frequently being used in managing development in the city.

There was also concern that building codes may dictate what could and couldn’t be phased out from new construction.

Bell suggested that rather than assuming that mandates for renewable energy ready electrical infrastructure in new construction wouldn’t be possible within existing state regulations (or that methane gas infrastructure couldn’t be prohibited in new construction) or that actions couldn’t be taken, it might be better to ask for those changes – if necessary be denied – and then work on addressing the reasons for the denial and proceeding as appropriate.

Climate Policy Commission
Built Environment Subcommittee
1/3/20 Meeting Notes

McGinnis noted that the Conservation and Climate Outreach Commission was hoping to ensure that the CPC and CCOC worked closely together so that they didn't duplicate their efforts and waste time and volunteer effort.

Shaff noted that he had already put together a draft ordinance for leaf-blowers, which McGinnis reported that the CCOC had considered beginning work on.

The plan will be to devise a common list of tasks for the two groups that can be divided for individual attention.

Green reported that the CCOC was intended to be in charge of public outreach, whereas the CPC was intended to make policy recommendations to the City Council.

Item 5: Shaff felt that getting bike – active transportation – goals to the transportation commission ahead of the downtown revitalization process was very important since this work was about to start or was underway and would commit the city to either bike accessibility or lack of bike accessibility for a long time. Therefore, this needed to be done soon.

Huelz expressed concern that bicycle transport was unlikely to be widely adopted in this city.

Shaff responded that unless there was easily available bicycle access to all parts of the city, then nobody would be able to rely on bicycles as their primary means of transport if they needed to get to all parts of the city. For this reason, making downtown – in particular – bicycle accessible was very important.

Bell noted that there was at least some supporting data that may make a good business case for this in the Rocky Mountain Institute's "The Carbon Free City Handbook" 2017.

Item 6; see below

Item 7; see below

Item 8; see below

Item 9; Since these were items that would normally be voted on by the Built Environment Subcommittee members, and since there were two members present which was effectively a quorum, the only requirement for moving forward with these items was that Bell agreed with the idea of moving forward, which he did.

Meeting adjourned

Climate Policy Commission
Built Environment Subcommittee
1/3/20 Meeting Notes

Revised summary of BEWG goals:

0 - 2 months	Ban gas (two stroke) lawn/landscape maintenance equipment (excluding chain saws)
0 - 2 months	Ban the installation of new natural gas furnaces, fireplaces and water heaters
3 - 12 months	Make the bicycle a functional and safe mode of travel
	Establish specific goal for bicycle mode share and modify the existing transportation system to ensure that the bicycle network is suitable for use by all ages and abilities
	Draft suggestions for Transportation Systems Plan
	Develop incentives for the purchase of both new and used bicycles (including e-bikes)
	Reduce the posted speeds on streets within residential districts to 20 miles per hour pursuant to State law (ORS 810.180(10)).
3 - 12 months	Outreach and coordination with SOU and Ashland School District on future phase-out of NG.
7-12 months	Require Building energy performance score program for existing buildings
7-12 months	Adopt the CEAP as an element of the City's Comprehensive Plan pursuant to State law (ORS 197.010(2)(b)) and provide for its implementation and enforcement through the City's Development Code.
7-12 months	Budget development for incentives (in total) including the identification of new revenue sources
7 - 12 months	EV ready wiring in new residential construction
7-12 months	Work Program Development 2021 - 2023

Attendance

Commission members Rick Barth and Zander Huston attended. Councilor Tonya Graham attended. Staff member Stu Green was present.

Meeting Goals

The purpose of the meeting was to:

- develop the January CPC agenda
- discuss CCOC coordination
- discuss future CPC activities

Discussion and Action Items

TG send list of volunteers to join CPC work groups

TG blog about WTP plant including outcome of CPC and CCOC September motions

water master plan

1/6/20 council study session

2/4/20 council business meeting

TG - push 2/4/20 meeting to March

allows utility work group to meet 1/23/20 followed by 2/13/20 CPC meeting

request for changes to water master plan need not be polished language; can be in form of requests
from council to staff to change the plan

water master plan likely to be stable for 10 years so need to get CPC changes done during this cycle

RB develop draft CPC lookahead

Google spreadsheet

administrative work group and staff edit access

others read only

copy to CPC monthly meeting packet

predict timing from work groups to commission to council

TG ask work group leaders what to put on CPC agenda

council

staff

CCOC

other commissions

at 1/9/20 CPC meeting discuss climate emergency declaration

why? objectives

how?

coupling to initial asks

stand alone declaration

stand alone asks

combine declaration and asks

administration work group to present and answer questions at 2/3/20 council study session

- CCOC coordination

- asks

- climate emergency declaration

- ASD incorporated CEAP into their bond plans; feed this back into city?

work group leaders bcc chair and vice-chair on draft work group notes

- bcc to mitigate serial email discussion with a quorum

website

- web site designer has volunteered

- conservation has a pool budget that could be tapped to fund development

- discuss this with Adam

- SG to send key indicator thoughts

CCOC coordination

- chair and vice-chair of CPC and CCOC meeting scheduled for after 1/9/20 CPC meeting

outreach process

- chair / vice-chair invite affected parties

- work group vs. full commission

- wildfire realtors example

- coupling to upgrade cycle

CEAP update CPC role

- multistakeholder convening

- OSF, SOU, ASD, ...

- comprehensive plan

- mild update

- SG considering June community survey

- hope to broaden engagement outside core community members

- SG engage with CCOC about questions for community

electric utility strategic plan

renewable gas vs. electrify everything is key strategic decision

immediate vs. important

Climate Policy Commissioners,

At our January meeting, the Commission will determine whether/how to move forward with two action items which can be handled separately or combined. Those two issues are a climate emergency declaration and the initial list of climate asks to Council. We have already decided to put forward a list of initial asks to Council. The question before us is whether we attach these asks to a climate emergency declaration, keep them separate and do the declaration later, or just do the initial ask and not the declaration. In preparation for this decision, the Administration subgroup has adapted the climate emergency declaration template and refined the list of initial asks to Council. This document contains three separate documents.

- The first is a combined climate emergency declaration that includes the initial list of climate asks to Council within the declaration.
- The second is a climate emergency declaration that does not ask for specific actions by Council. This could be put forward separately from the list of initial asks.
- The third is a list of the initial asks to Council that would be put forward should the Commission decide to move forward with a standalone request rather than this list being attached to a climate emergency declaration.

Because the Council study session on February 3 is dedicated to climate progress, we need to make this decision at the January meeting so that we can determine what needs to be presented at the study session.

COMBINED CLIMATE EMERGENCY DECLARATION AND LIST OF ASKS

RESOLUTION ENDORSING THE DECLARATION OF A CLIMATE EMERGENCY AND EMERGENCY MOBILIZATION EFFORT TO RESTORE A SAFE CLIMATE

WHEREAS, in April 2016 world leaders recognized the urgent need to combat climate change by signing the Paris Agreement, agreeing to keep global warming “well below 2°C above pre-industrial levels” and to “pursue efforts to limit the temperature increase to 1.5°C;”

WHEREAS, the harm to people and nature already wrought by current average global warming of 1°C demonstrates that the Earth is already too hot for safety and justice, as evidenced by increased and intensifying wildfires, floods, rising seas, diseases, droughts, and extreme weather;

WHEREAS, according to the United Nations’ Special Rapporteur on Extreme Poverty, 1.5°C of global warming could expose 500 million people to water poverty, 36 million people to food insecurity because of lower crop yields, and 4.5 billion people to heat waves;

WHEREAS, in October 2018, the United Nations released a special report which projected that limiting warming to even the 1.5°C target this century will require an unprecedented

transformation of every sector of the global economy by 2030;

WHEREAS, climate change and the global industrialized economy's overshoot of ecological limits are driving the Sixth Mass Extinction of species, could devastate much of life on Earth for many millennia, and may pose as great a risk to humanity as climate change, according to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services;

WHEREAS, the United States of America has disproportionately contributed to the climate and ecological emergencies and thus bears an extraordinary responsibility to rapidly solve these crises;

WHEREAS, in July 2019, Oregon Representative Earl Blumenauer and congressional colleagues introduced a resolution to declare a national climate emergency in the United States, calling for a "national, social, industrial, and economic mobilization of the resources and labor of the United States at a massive scale to halt, reverse, mitigate, and prepare for the consequences of the climate emergency and to restore the climate for future generations;"

WHEREAS, restoring a safe and stable climate requires a Climate Mobilization, an emergency mobilization on a scale not seen since World War II in order to reach zero greenhouse gas emissions across all sectors of the economy; to rapidly and safely drawdown and remove excess carbon from the atmosphere until pre-industrial greenhouse gas levels are restored; and to implement measures to protect people and nature from the consequences of abrupt climate destabilization;

WHEREAS, such necessary measures to restore a safe climate include:

- a) A rapid, just, managed phase-out of fossil fuels;
- b) Ending greenhouse gas emissions as quickly as possible to establish a zero-emissions economy;
- c) A widespread effort to safely drawdown excess carbon from the atmosphere;
- d) A full transition to a regenerative agriculture system; and
- e) Widespread conservation and restoration of ecosystems;

WHEREAS, fairness requires that disadvantaged communities, which often experience the impacts of climate change "first and worst" participate actively in the planning and implementation of this mobilization effort and that they benefit from the transition to a climate-safe economy;

WHEREAS, the massive scope and scale of action necessary to stabilize the climate and biosphere will require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address the climate emergency;

WHEREAS, the City of Ashland can act as a global leader through rapid implementation of its Climate and Energy Action Plan (CEAP) and by advocating for regional, national, and international efforts necessary to reverse global warming and the ecological crisis;

NOW BE IT THEREFORE RESOLVED, the City of Ashland declares that a climate and ecological emergency threatens our city, region, state, nation, civilization, humanity and the natural world;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff to collaborate with the Climate Policy Commission to develop a comprehensive energy plan, including electric and gas utility plans, that charts a course for Ashland to meet its near and long-term climate mitigation and adaptation goals;

BE IT FURTHER RESOLVED, the Ashland City Council commits to opening conversations with Bonneville Power Administration and advocating for adjustments to the current contract in order to allow the community of Ashland to pursue renewable energy production without financial penalty;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff to collaborate with the Climate Policy Commission to incorporate the goals of the CEAP into all city plan updates, including but not limited to Master Plans, Comprehensive Plans and Updates, and Capital Improvement Program plans;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff to prioritize climate action in future budget processes until the climate crisis is addressed to the point where human and ecological communities are no longer in danger due to an unsafe climate;

BE IT FURTHER RESOLVED, the Ashland City Council requires all Council, Commission, and Ad Hoc Committee work and decisions incorporate CEAP goals as appropriate and that those bodies are educated about the climate crisis by staff and/or the Climate Policy Commission or the Conservation and Climate Outreach Commission;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff to immediately implement efficiency recommendations from the City facilities water and energy audits throughout City facilities and vehicle fleet;

BE IT FURTHER RESOLVED, the Ashland City Council directs the City Administrator to work with the relevant departments to include greenhouse gas impact statements in all relevant Council motions, much as it currently includes fiscal impact statements;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff in collaboration with the Climate Policy and Conservation and Climate Outreach Commissions to develop a website to track progress against CEAP goals, and demonstrate actions individual citizens, businesses, and organizations can take to help the Ashland community meet its climate mitigation and adaptation goals;

BE IT FURTHER RESOLVED, the Ashland City Council directs staff to build on existing internal climate education efforts to ensure that all City staff receive annual training on the climate crisis and the City of Ashland's climate goals;

BE IT FURTHER RESOLVED, the Ashland City Council requires that management level hiring decisions prioritize climate knowledge and demonstrated leadership in helping communities meet climate goals;

BE IT FURTHER RESOLVED, the Ashland City Council recognizes that additional policy and program recommendations will be coming forward with urgency from the Climate Policy Commission and commits to prioritizing consideration of those recommendations in the normal course of Council business;

BE IT FURTHER RESOLVED, the City of Ashland joins a national-wide call for a regional, national, and international climate emergency mobilization effort focused on rapidly catalyzing effective action at all levels of government to reverse global warming and the ecological crisis;

BE IT FURTHER RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Ashland supports House Congressional Resolution 52 and Senate Congressional Resolution 22, “Expressing the sense of Congress that there is a climate emergency which demands a massive-scale mobilization to halt, reverse, and address its consequences and causes,” as well as any legislation that would initiate a national emergency-speed mobilization to reverse global warming and the ecological crisis, as described in the text of this Resolution;

BE IT FURTHER RESOLVED, the City of Ashland calls on the State of Oregon, the United States Congress, the President of the United States, and all governments and people worldwide to declare a climate emergency, initiate a Climate Mobilization to reverse global warming and the ecological crisis, and provide maximum protection for all people and species of the world; and,

BE IT FURTHER RESOLVED, in furtherance of this resolution, the City of Ashland shall submit a certified copy of this resolution to Senators Ron Wyden and Jeff Merkley, Representative Greg Walden, State Senator Jeff Golden, State Representative Pam Marsh, and County Commissioners Ricky Dyer, Colleen Roberts, and Bob Strosser, and request that all relevant support and assistance in effectuating this resolution be provided.

CLIMATE EMERGENCY DECLARATION ONLY

RESOLUTION ENDORSING THE DECLARATION OF A CLIMATE EMERGENCY AND EMERGENCY MOBILIZATION EFFORT TO RESTORE A SAFE CLIMATE

WHEREAS, in April 2016 world leaders recognized the urgent need to combat climate change by signing the Paris Agreement, agreeing to keep global warming “well below 2°C above pre-industrial levels” and to “pursue efforts to limit the temperature increase to 1.5°C;”

WHEREAS, the harm to people and nature already wrought by current average global warming of 1°C demonstrates that the Earth is already too hot for safety and justice, as evidenced by increased and intensifying wildfires, floods, rising seas, diseases, droughts, and extreme weather;

WHEREAS, according to the United Nations’ Special Rapporteur on Extreme Poverty, 1.5°C of global warming could expose 500 million people to water poverty, 36 million people to food insecurity because of lower crop yields, and 4.5 billion people to heat waves;

WHEREAS, in October 2018, the United Nations released a special report which projected that limiting warming to even the 1.5°C target this century will require an unprecedented transformation of every sector of the global economy by 2030;

WHEREAS, climate change and the global industrialized economy’s overshoot of ecological limits are driving the Sixth Mass Extinction of species, could devastate much of life on Earth for many millennia, and may pose as great a risk to humanity as climate change, according to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services;

WHEREAS, the United States of America has disproportionately contributed to the climate and ecological emergencies and thus bears an extraordinary responsibility to rapidly solve these crises;

WHEREAS, in July 2019, Oregon Representative Earl Blumenauer and congressional colleagues introduced a resolution to declare a national climate emergency in the United States, calling for a “national, social, industrial, and economic mobilization of the resources and labor of the United States at a massive scale to halt, reverse, mitigate, and prepare for the consequences of the climate emergency and to restore the climate for future generations;”

WHEREAS, restoring a safe and stable climate requires a Climate Mobilization, an emergency mobilization on a scale not seen since World War II in order to reach zero greenhouse gas emissions across all sectors of the economy; to rapidly and safely drawdown and remove excess carbon from the atmosphere until pre-industrial greenhouse gas levels are restored; and to implement measures to protect people and nature from the consequences of abrupt climate destabilization;

WHEREAS, such necessary measures to restore a safe climate include:

- a) A rapid, just, managed phase-out of fossil fuels;

- b) Ending greenhouse gas emissions as quickly as possible to establish a zero-emissions economy;
- c) A widespread effort to safely drawdown excess carbon from the atmosphere;
- d) A full transition to a regenerative agriculture system; and
- e) Widespread conservation and restoration of ecosystems;

WHEREAS, fairness requires that disadvantaged communities, which often experience the impacts of climate change “first and worst” participate actively in the planning and implementation of this mobilization effort and that they benefit from the transition to a climate-safe economy;

WHEREAS, the massive scope and scale of action necessary to stabilize the climate and biosphere will require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address the climate emergency;

WHEREAS, the City of Ashland can act as a global leader through rapid implementation of its Climate and Energy Action Plan (CEAP) and by advocating for regional, national, and international efforts necessary to reverse global warming and the ecological crisis;

NOW BE IT THEREFORE RESOLVED, the City of Ashland declares that a climate and ecological emergency threatens our city, region, state, nation, civilization, humanity and the natural world;

BE IT FURTHER RESOLVED, the City of Ashland joins a national-wide call for a regional, national, and international climate emergency mobilization effort focused on rapidly catalyzing effective action at all levels of government to reverse global warming and the ecological crisis;

BE IT FURTHER RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Ashland supports House Congressional Resolution 52 and Senate Congressional Resolution 22, “Expressing the sense of Congress that there is a climate emergency which demands a massive-scale mobilization to halt, reverse, and address its consequences and causes,” as well as any legislation that would initiate a national emergency-speed mobilization to reverse global warming and the ecological crisis, as described in the text of this Resolution;

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BE IT FURTHER RESOLVED, in furtherance of this resolution, the City of Ashland shall submit a certified copy of this resolution to Senators Ron Wyden and Jeff Merkley, Representative Greg Walden, State Senator Jeff Golden, State Representative Pam Marsh, and County Commissioners Ricky Dyer, Colleen Roberts, and Bob Strosser, and request that all relevant support and assistance in effectuating this resolution be provided.

LIST OF CLIMATE ASKS ONLY

Direct staff to collaborate with the Climate Policy Commission to develop a comprehensive energy plan, including electric and gas utility plans, that charts a course for Ashland to meet its near and long-term climate mitigation and adaptation goals;

Open conversations with Bonneville Power Administration and advocate for adjustments to the current contract in order to allow the community of Ashland to pursue renewable energy production without financial penalty;

Direct staff to collaborate with the Climate Policy Commission to incorporate the goals of the CEAP into all city plan updates, including but not limited to Master Plans, Comprehensive Plans and Updates, and Capital Improvement Program plans;

Direct staff to prioritize climate action in future budget processes until the climate crisis is addressed to the point where human and ecological communities are no longer in danger due to an unsafe climate;

Require all Council, Commission, and Ad Hoc Committee work and decisions incorporate CEAP goals as appropriate and that those bodies be educated about the climate crisis by staff, the Climate Policy Commission, or the Conservation and Climate Outreach Commission;

Direct staff to immediately implement efficiency recommendations from the City facilities water and energy audits throughout City facilities and vehicle fleet;

Direct the City Administrator to work with the relevant departments to include greenhouse gas impact statements in all relevant Council motions, much as it currently includes fiscal impact statements;

Direct staff in collaboration with the Climate Policy and Conservation and Climate Outreach Commissions to develop a website to track progress against CEAP goals, and demonstrate actions individual citizens, businesses, and organizations can take to help the Ashland community meet its climate mitigation and adaptation goals;

Direct staff to build on existing internal climate education efforts to ensure that all City staff receive annual training on the climate crisis and the City of Ashland's climate goals;

Require that management level hiring decisions prioritize climate knowledge and demonstrated leadership in helping communities meet climate goals; and

Recognize that additional policy and program recommendations will be coming forward with urgency from the Climate Policy Commission and commit to prioritizing consideration of those recommendations in the normal course of Council business.

CPC Built Environment Working Group
- 2020 Work Program -

Timeframe	
	Strategy
0 - 2 months	Ban gas (two stroke) lawn/landscape maintenance equipment (excluding chain saws)
0 - 2 months	Ban the installation of new natural gas furnaces, fireplaces and water heaters
3 - 12 months	Make the bicycle a functional and safe mode of travel
	Establish specific goal for bicycle mode share and modify the existing transportation system to ensure that the bicycle network is suitable for use by all ages and abilities
	Draft suggestions for Transportation Systems Plan
	Develop incentives for the purchase of both new and used bicycles (including e-bikes)
	Reduce the posted speeds on streets within residential districts to 20 miles per hour pursuant to State law (ORS 810.180(10)).
3 - 12 months	Outreach and coordination with SOU and Ashland School District on future phase-out of NG.
7-12 months	Require Building energy performance score program for existing buildings
7-12 months	Adopt the CEAP as an element of the City's Comprehensive Plan pursuant to State law (ORS 197.010(2)(b)) and provide for its implementation and enforcement through the City's Development Code.
7-12 months	Budget development for incentives (in total) including the identification of new revenue sources
7 - 12 months	EV ready wiring in new residential construction
7-12 months	Work Program Development 2021 - 2023

To: Revitalize Downtown:

From: Carbon Policy Committee:

Date:

RE: Ensuring Bicycles are a Viable Form of Transportation

Ensuring that transportation facilities are safe for everyone is a fundamental objective of city planning in Oregon. To achieve that outcome, facilities for people riding bicycle must be designed, funded and constructed to be usable by people of all ages and abilities. Traffic volumes and speeds of motor vehicles on major roads in Ashland necessitate that vulnerable road users (bicyclists and pedestrians) be separated from passing motor vehicles (see Appendix A – NACTO All Ages and Abilities). Separation is the only way to ensure that people riding or walking on these roads will not be killed or severely injured if struck by an automobile (see Appendix B – Injury and Motor Vehicle Speeds).

Improvements on the major roadways must be complimented with a network of bicycle boulevards throughout the community that serve to connect every neighborhood with the major street network. Completion of this network will ensure that bicycles are a viable mode of transportation and could lead to enough people riding bicycles to account for 20 percent of local travel by 2035 (excluding trips that originate or end out-of-town) and, possibly, 40 percent by 2040. Some cities have already achieved these levels of bicycling. They have achieved this by creating a transportation system that ensures safety for all modes of travel - not just motor vehicles.

The reduction in the community's dependence upon the automobile is an important strategy in the City's overall plan to have zero net greenhouse gas emissions by 2050. The transportation sector accounts for more than 30 percent of Ashland's carbon emissions.¹ **These emissions, from the transportation sector, can be reduced by about one percent for each one percent increase in bicycle mode share.**²

Additionally, for each one percent increase in bicycle mode share there is a like **reduction in traffic congestion and parking demand**. Maximizing bicycle transportation provides solves a wide range of challenges faced by the City, its residents, and the environment as a whole.

Average trip lengths for traditional pedal bicycles are around three miles. The longest axis in Ashland, along the length of OR99, is just under four miles. E-bikes, whose sales are growing at 100 percent per year³, can travel 20 miles or more between charges.⁴ With e-bikes, even the streets above the Boulevard are easily ascended. Almost anyone can travel anywhere in Ashland on a bike provided the transportation system is changed to ensure their safety. Importantly, **people that travel by bike are likely, if not certainly, to shop locally.**

Bicycles are a very inexpensive mode of transportation. Traditional bikes cost a few hundred dollars while -bikes vary widely but start around \$1,500. Even the most expensive bikes are still much less expensive than the purchase, and cost of operation and insurance for a motor vehicle. In fact, the cost of driving an automobile accounts for almost 12 percent of average household income in the USA.⁵ Only expenditures for housing (25% of average household income) account

¹ Approximate: According to the City GHG emission inventory, seventeen percent of the City's carbon emissions are attributable to from residential driving. Roughly an equal amount is attributable to energy used in the construction of motor vehicles and auto emissions from visitors to the City.

² The U. N. Fourth Intergovernmental Panel on Climate Change, Assessment Report refers to a study of transport policies in Latin American cities which found that increasing the share of trips by bicycle from 1% to 10% can reduce the amount of greenhouse gas emissions in the city by 8.4%

³ <https://www.npd.com/wps/portal/npd/us/news/press-releases/2017/its-electric-e-bikes-led-by-higher-price-points-drive-bicycle-sales-in-the-us/>

⁴ <https://www.juicedbikes.com/pages/real-world-range-test>

⁵ U.S. Bureau of Labor Statistics: <https://www.bls.gov/news.release/cesan.nr0.htm>

for a larger share of household expenditures. Transportation costs even exceed the expenditures for food (10% of household income). Transforming the transportation system to make bicycling a safe and practical form of transportation could **increase local disposable income and thus reduce the cost of living in Ashland**. Importantly, those “savings” could also provide the basis for **increased purchases in local stores**.

Little data is available on retail sales before and after installation of a protected bike lane. But in one case, **the percentage increase in retail sales was higher than control sites without bike transportation improvements and grew up to twice as fast over the course of two years**.⁶

Obesity is a public health crisis. Active transportation, walking and bicycling, create opportunities for people to integrate exercise into their daily routines.⁷ This is especially important among children and youth, where utilizing modes of transportation that require physical activity, can **alter the trajectory of adult obesity and type 2 diabetes**.

The City, through the creation of a safe bicycle network, can complement OSF’s efforts to **diversify the demographics of its visitors**. Young people account for a large percentage of people who visit Ashland to enjoy mountain and road biking. These visitors often have high disposable incomes. Making bicycling safe throughout the City can encourage these visitors to explore town instead of simply riding the trails and rural roads.

Similarly, by making bicycling a safe and practical mode of travel, the City can increase its overall attractiveness to “remote” workers; potentially key to diversifying the local economy. Remote workers are expected to account for 50 percent of the work force by 2027⁸ and can live anywhere. **Boosting Ashland’s draw to young professional workers**, especially given their high relative salaries, will help increase our community’s social and economic diversity.

The City Council’s adopted 2017 Climate Energy and Action Plan includes the following statement: “each action of the CEAP should be implemented in an equitable manner that addresses Ashland’s unique equity issues and concerns.” The CEAP also explicitly acknowledges that implementation of the CEAP will provide four co-benefits. These include “benefits: 1) to low-income or disadvantaged communities, 2) benefits local habitats, recreation, or natural aesthetic, 3) benefits households, local economy, City operations budget, or jobs and 4) benefits public health (e.g. by enhancing local air quality).” The bicycle strategy, as described here, includes identifiable benefits in all of these diverse areas.

In summary, making bicycling a safe mode of travel for everyone has the following benefits:

- Reducing carbon emissions from the transportation sector
- Reducing traffic congestion and parking demand
- Increasing the number of residents who shop locally
- Increasing disposable income for residents who bicycle
- Increasing retail purchases
- Reducing the incidence of obesity – especially among children
- Diversifying the demographics of visitors to Ashland
- Making Ashland a more attractive place to live for young professionals

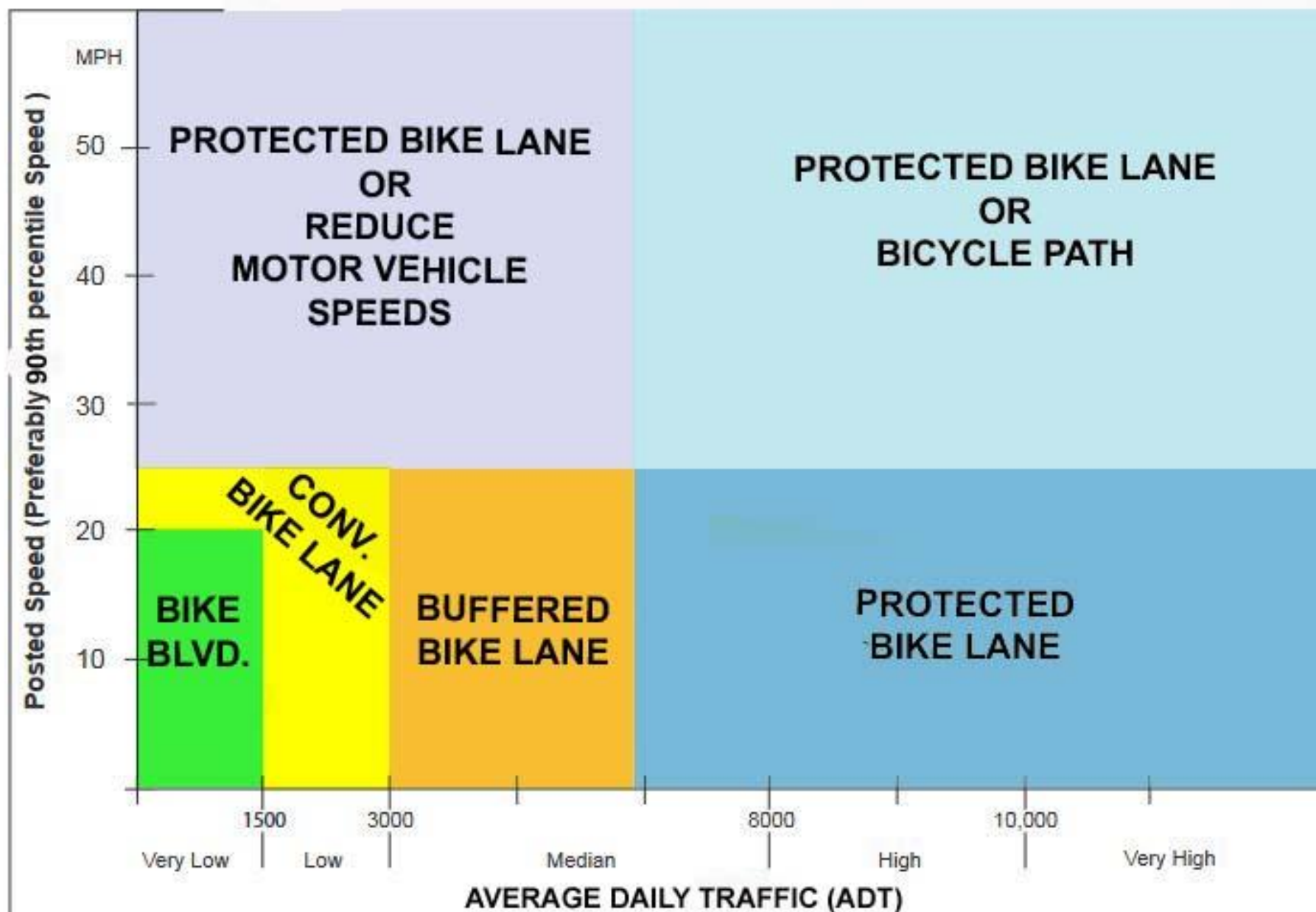
⁶ <http://www.nyc.gov/html/dot/downloads/pdf/2014-09-03-bicycle-path-data-analysis.pdf>

⁷ Harvard University: <https://www.hsph.harvard.edu/obesity-prevention-source/obesity-prevention/physical-activity-environment/community-design-active-transportation-and-obesity-prevention/>

⁸ Forbes: <https://www.forbes.com/sites/samantharadocchia/2018/07/31/50-of-the-us-workforce-will-soon-be-remote-heres-how-founders-can-manage-flexible-working-styles/#13b0536d5767>

NACTO

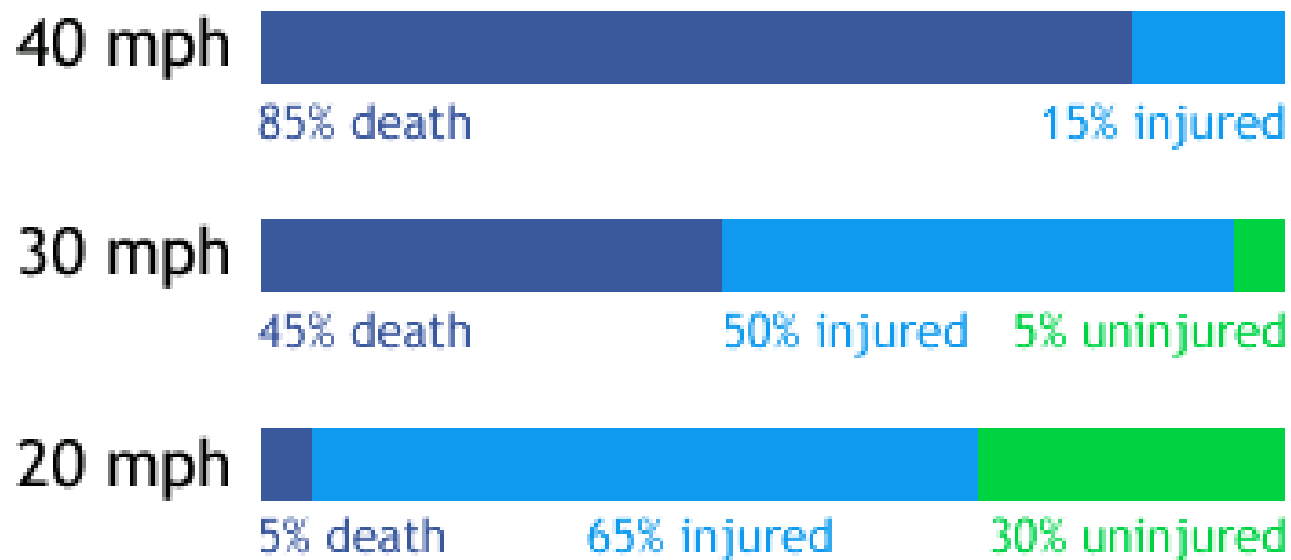
Contextual Guidance for Selecting All Ages & Abilities Bikeways



Reducing Vehicular Speeds

Decreases Crash Risk and Crash Severity

Pedestrian Injuries at Impact Speeds



Chapter 17

Climate Protection and Greenhouse Gas Remediation

Chapter 17.00 - Title

This chapter shall be known as the Climate Protection and Greenhouse Gas Remediation

17.02 Gas Powered Lawn and Garden Equipment

The purpose of this chapter is to establish standards to protect the natural environment, increase sustainability efforts, reduce greenhouse gas emissions, and improve the overall quality of life within the City of Ashland.

17.02.010 Definitions.

For purposes of this chapter only, the terms below have the following meaning:

- A. "City" means the City of Ashland.
- B. "City contractor" means any person that enters into an agreement with the City to furnish products or services to or for the City.
- C. "City facility" means any building, structure, property, park, open space, or vehicle, owned, leased or operated by the City, its agents, agencies, departments or franchisees.
- D. "City-sponsored event" means any event, activity or meeting organized or sponsored, in whole or in part, by the City or any department of the City.
- E. "Commercial operator" means any person who, for compensation or hire, engages in providing services or products.
- F. "Leaf blower" or "leaf blowers" means any portable, hand-held or backpack, air blowing machine that uses a concentrated stream of air to push, propel, or blow dirt, dust, leaves, grass clippings, trimmings, green waste, solid waste or debris.
- G. "Person" means any person, business, corporation, or event organizer or promoter; public, nonprofit or private entity, agency or institution; or partnership, association or other organization or group, however organized.

17.02.020 Prohibition of Gas-Powered Leaf Blowers.

- A. The use or operation of any leaf blower powered by a combustion or gasoline engine shall be prohibited.
- B. All City facilities, City-managed concessions, City-sponsored or co-sponsored events, City permitted events and all franchisees, City contractors, and vendors doing business within the City shall be prohibited from using or operating any leaf blower powered by a combustion or gasoline engine.

17.02.040 Use of Leaf Blowers.

- A. Leaf blowers powered by line current (electricity) or by battery may be used in the City subject to the provisions cited below, which are in addition to those set forth in Chapter 9.08.170, Unnecessary Noise, of the Municipal Code.
- B. Permitted hours of operation by any person shall be as follows:
 - 1. 8:00 a.m. to 6:00 p.m., Monday through Saturday.
 - 2. 12:00 p.m. to 5:00 p.m. on Sunday.
- C. No person shall operate a leaf blower on Federally-recognized holidays.

- D. Operation of a leaf blower shall not deposit dirt, dust, leaves, grass clippings, trimmings, green waste, solid waste or debris onto a neighboring property or into a street, sidewalk, gutter, or storm drain.
- E. No person shall operate any leaf blower without attachment of all mufflers and full extension blower tubes supplied by the manufacturer for that leaf blower.

17.02.060 Enforcement.

- A. Any violation of this chapter shall be enforced pursuant to Chapter 1.08 of the Ashland Municipal Code.
- B. Each violation of this chapter shall be considered a separate offense.
- C. The remedies and penalties provided in this chapter are cumulative and not exclusive and nothing in this chapter shall preclude the City from pursuing any other remedies. The City Attorney may seek legal, injunctive, or any other relief to enforce the provisions of this chapter and any regulations or administrative procedure developed pursuant hereto.

17.02.080 Administrative Remedies.

- A. Any person violating, causing or maintaining a violation of any provision of this chapter may be issued an administrative citation as provided by Ashland Municipal Code Chapter 1.08, General Penalties.
- B. Upon a first violation of any provision of this chapter, the City Manager or designee shall issue a written warning notice of violation to the offending person. If, after the specified correction period following the written warning, the violation is not ceased or abated, the City Manager or designee may issue an administrative citation assessing fines in accordance with this section.
- C. Each separate violation following the issuance of a warning notice of violation shall be subject to the following administrative fines which shall be cumulative with each day that a violation occurs constituting a separate violation:
 - 1. A \$100.00 fine for the first violation following the issuance of a warning notice.
 - 2. A \$200.00 fine for the second violation following the issuance of a warning notice.
 - 3. A \$1,000.00 fine for each additional violation that occurs following the issuance of a warning notice.

17.02.100 No Conflict with Federal or State Law.

Nothing in this chapter is intended to or shall be interpreted as conflicting with any Federal or State law or regulation.

17.02.110 Operative Date.

- A. This chapter shall become operative according to the following schedule:
 - 1. This chapter shall become operative as to City contractors, City facilities, and City-sponsored events on the effective date of the ordinance codified in this chapter.
 - 2. This chapter shall become operative as to any commercial operator conducting business within the City of Ashland three months after the effective date of the ordinance codified in this chapter.
 - 3. This chapter shall become operative as to any person four months after the effective date of the ordinance codified in this chapter.
- B. Within 15 days of the date of adoption of the ordinance codified in this chapter, the City Clerk shall post a copy of said ordinance in places designated for such posting and shall certify to the same. The City Clerk shall certify the passage of the ordinance codified in this chapter and shall cause the same to be published as required by law.

17.02.120 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter. The City Council hereby declares that it would have adopted the ordinance codified in this chapter and each section, subsection, subdivision, paragraph, sentence, clause, phrase and portion of this chapter irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional. To this end, the provisions of this chapter are declared severable.