



HUMAN SERVICES COMMITTEE

Agenda

Tuesday, October 21, 2014
2:00 pm

Madison Avenue Meeting Room
500 SW Madison Avenue

- Discussion/**Possible Action** I. Open Carry of Firearms
(Link to October 7 meeting materials)
- Discussion/**Possible Action** II. Council Policy Review and Recommendation:
93-4.11, "Public Library Policy for Selecting and
Discarding Materials" (Attachment)
- Discussion/**Possible Action** III. Council Policy Review and Recommendation:
95-4.08, "Code of Conduct on Library Premises"
(Attachment)
- Discussion/**Possible Action** IV. Rental Housing Program Annual Report (Attachment)
- Information V. Other Business

Next Scheduled Meeting

Tuesday, November 4, 2014 at 2:00 pm
Madison Avenue Meeting Room, 500 SW Madison Avenue

Agenda

Commission for Martin Luther King, Jr. Charge
Community Involvement and Diversity Advisory Board Task
Force Recommendations

MEMORANDAUM

TO: Human Services Committee
FROM: Carolyn Rawles, Library Director
DATE: October 6, 2014

Issue:

Review of CP 93.4.11 Public Library Policy for Selecting and Discarding Materials.

Background:

This policy outlines the philosophical and practical basis of the development and management of the Library's collection, including the process for managing patron comments on materials.

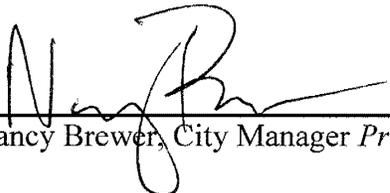
Discussion:

This policy has worked well in its current form for many years. The Library Board reviewed the policy at their August 13, 2014 meeting and recommended it move forward with no changes except for updating the Review and Update verbiage to meet new protocol.

Recommended Action:

Approve with policy approval language revision.

Review and Concur:


Nancy Brewer, City Manager *Pro Tem*

10/10/14
Date

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 93-4.11 **Public Library Policy for Selecting and Discarding Materials**

<u>Adopted</u>	<u>February 21, 1993</u>
Revised	October 1999
Revised	May 20, 2002
Revised	November 7, 2005
Revised	November 3, 2008
Affirmed	November 7, 2011
Revised	October xx, 2014

4.11.010 **General Statement of Purpose**

- a. The Corvallis City Council and the Corvallis-Benton County Public Library Board recognize that American democracy functions only if the full range of human thought and ideas are accessible to the people and if proponents of various points of view are free to fully and openly make their cases, however popular or unpopular they may be, before the individual and collective judgment of their fellow citizens.

- b. This principle is guaranteed in the First Amendment of the Constitution, which protects the free expression of ideas. It is exemplified by American public libraries, which provide access to those ideas in accordance with the Library Bill of Rights, the Freedom to Read Statement, and the Freedom to View Statement, which are appended to this Policy.

- c. Thus, the Library collection, protected by the First Amendment, is a marketplace of ideas contained in varied and divergent materials.

- d. The collection of the Corvallis-Benton County Public Library is designed to fulfill this ideal. Forms of expression that are

unprotected by the First Amendment will not be included in the collection.

- e. This Policy covers materials selected for inclusion in the Library's collection. Use of the Internet is covered by the Library's *Internet Access Policy*; free distribution items are included in the *Library Displays, Exhibits, and Bulletin Boards Policy*.

4.11.020 Selection Policy for Library Materials

4.11.021 Breadth and Diversity

- a. The Library collection, consisting of various formats, will be selected and maintained to provide materials to assist each individual to acquire or to adapt the skills and knowledge necessary to participate in self-government, to become more productive, to achieve economic success, and to enhance humanity and the enjoyment of life according to the full exercise of free choice.
- b. The Library collection will be an excellent and diverse source of information. In pursuit of excellence, the Library collection will include as wide a selection as possible, and subjects will be covered in sufficient depth to meet anticipated and expressed needs.
- c. The Library will favor no viewpoint.
- d. The Corvallis City Council and the Library Board recognize that full information on issues of public concern may require access to information sources which exemplify those concerns. Individual items which in and of themselves may be controversial or offensive to some may appropriately be selected if their inclusion in the collection will contribute to the overall value of the collection to the community served.

The Corvallis City Council and the Library Board believe that reading, listening, and viewing are individual, private matters. While anyone is free to select or reject materials, the freedom of others to read or inquire cannot be restricted. Parents and guardians have the responsibility to guide and direct the reading, listening, and viewing choices of their own minor child(ren). The Library does not stand "in loco parentis."

4.11.022 Selection Authority and Criteria

- a. Selection of Library materials is vested in the Director of the Corvallis-Benton County Public Library. The Director may

authorize members of the staff who are qualified by reason of education and training to assist with selection. Such Library materials shall be deemed to have been selected by the Board as advisors to the Corvallis City Council.

- b. Factors to be considered in adding specific materials to the Library collection shall include: present collection composition, collection development objectives, interest, demand, timeliness, audience, significance of subject, diversity of viewpoint, physical condition of the material, and effective expression. No materials shall be excluded because of the race, nationality, religion, gender, sexual orientation, political, or social view of the author.
- c. The Library encourages public suggestion of items and subjects to be considered for inclusion in the Library collection. Suggestion forms are available at all service points and on the Library's Web page.

4.11.023 Concerns and Complaints regarding Materials

- a. The Corvallis City Council and the Library Board recognize the right of individuals to question materials in the Library collection. An individual questioning material in the Library collection may ask the Library staff about such materials. Designated staff members will discuss the matter with the individual and give the patron a copy of this Policy.
- b. An individual still questioning Library materials may state her/his opinion in writing on a form provided by the Library. After the Director receives the completed form, the opinion and the material in question will be reviewed by the Selection Review Committee. The Review Committee, designated annually by the Director, determines if the material meets the criteria of this Policy and will reply to the individual in writing as soon as practical.
- c. The Corvallis City Council and the Library Board consider all materials selected under this Policy constitutionally protected under the First Amendment unless the materials are determined unprotected by judicial action. Material under court consideration will remain in the active collection and not be considered for removal until the judicial determination is made and all appeals completed.

- d. Patrons wishing to express concerns to the Board about materials in the collection will be heard during a regular meeting under the agenda item "Visitor Propositions" or other public time for public expression.
- e. The Library Board as advisors to Corvallis City Council, after hearing a patron complaint, shall determine if the material has been reviewed in accordance with this Policy and that appropriate Library procedures have been followed.

4.11.024 Access to Collection

The Library collection will be organized and maintained to facilitate access. The Library will not label, sequester, or alter materials because of controversy surrounding the material.

4.11.030 Discarding Library Materials

The Corvallis City Council and the Library Board recognize that discarding materials from the collection is an important part of maintaining the Library collection. The discard practices of the Library shall include the same factors as the selection policy and are not intended to sanction removal of Library materials based upon any controversy.

4.11.040 Review and Update

~~This Policy for the selection and discarding of books and all other Library materials is to be reviewed and updated every three years.~~ **The Library Director will prepare the Council Policy review every three years for Council approval.**

Appendix to CP 93-4.11: Library Bill of Rights, Freedom to Read Statement, and Freedom to View Statement

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948, by the American Library Association Council; amended February 2, 1961; January 23, 1980; inclusion of "age" re-affirmed January 23, 1996.

The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the

good and reject the bad. We trust Americans to recognize propaganda and misinformation and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now, as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We, therefore, affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every non-conformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe, but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the pre-judgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling pre-supposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It pre-supposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society, individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly, nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not

state these propositions in the comfortable belief that what people read is unimportant. We believe, rather, that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

Adopted June 25, 1953, by the American Library Association Council and the Association of American Publishers Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore, these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

MEMORANDUM

TO: Human Services Committee
FROM: Carolyn Rawles, Library Director
DATE: October 6, 2014.

Issue:

Review of CP 95-4.08, Code of Conduct for All Service Points of the Corvallis-Benton County Public Library.

Background:

This policy governs rules of patron behavior at the Library, and enforcement of those rules.

Discussion:

This policy in general works well for the Library. A few minor changes are recommended that are mostly housekeeping in nature: referring to the Corvallis Municipal Code in order to have the most updated reference to smoking and tobacco; mentioning that there are some designated areas where eating is allowed (near and in the meeting rooms); referring to the policy section regarding unattended children; and updating the approval language.

The City Attorney was consulted to ensure compliance with current law.

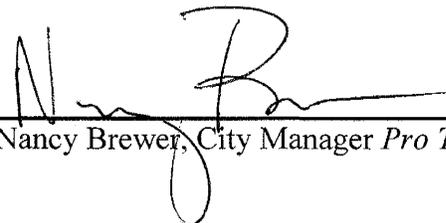
Copies of the Code are posted in the building and available as handouts and on the Library's website.

This policy was reviewed by the Library Board at their October 1, 2014 and they recommended moving it forward with the aforementioned changes.

Recommended Action:

Approve as revised.

Review and Concur:


Nancy Brewer, City Manager *Pro Tem*


Date

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 95-4.08 Code of Conduct for All Service Points of the Corvallis-Benton
County Public Library

Adopted **August 21, 1995**
Revised January 5, 1998
Revised December 18, 2000
Affirmed November 3, 2003
Revised November 20, 2006
Revised December 7, 2009
Revised May 16, 2011
Revised **October XX, 2014**

4.08.010 Purpose

The mission of the Corvallis-Benton County Public Library is "bringing people and information together." The Library welcomes everyone in the community to use and enjoy its facilities and services. To protect each individual's access to information and Library services, the Library has established the following rules of behavior. These rules protect the rights and safety of Library patrons and staff and preserve and protect the Library's materials, facilities, and property.

4.08.020 Policy

The following are prohibited:

- a. Smoking **and/or the use of tobacco products pursuant to Corvallis Municipal Code 5.03.080.160** anywhere on Corvallis Library property or within 50 feet of the exterior of the Corvallis Library building, including the parking lot, parking garage, sidewalk, curb, gutter and street. **This prohibition also applies** ~~Smoking is also prohibited~~ in the branch libraries, the bookmobile, and within 10 feet of branch entrances as specified in State law. This

prohibition does not include any property that is within 50 feet of the exterior of the Corvallis library that is not owned by the City of Corvallis nor does it include smoking in a private vehicle with the windows closed, except within the library parking garage or library parking lot.

- b. Eating, **except in designated areas**. Only spill-proof drinks are permitted, provided they are not used near electronic equipment.
- c. Begging or soliciting.
- d. Engaging in disruptive or unsafe activity or behavior that materially interferes with others' use of the Library or with the ability of staff to perform their job duties.

Examples of behavior or activities that may be disruptive include, but are not limited to: climbing, running, loud noise, throwing things, pushing and shoving, misusing Library property, verbal or physical harassment, or threats.

- e. Use of cellular phones in posted prohibited areas or in a manner which disturbs others.
- f. Tethering animals on library property or on the adjoining sidewalk and/or public right-of-way. Bringing animals, other than service animals into the Library except as authorized by Library staff. By law, service animals are defined as providing a service to a person with a disability; they do not include animals providing only emotional support or comfort; and only dogs are allowed as service animals, with reasonable accommodation made for miniature horses. Library staff are allowed to inquire about whether or not a patron with a service animal is disabled and if so, what services the animal performs. If, in the judgment of the Library staff the animal does not meet the criteria of service animal, the animal may be excluded from the Library. Service animals must be under control at all times. If an animal's behavior or condition poses a direct threat to the health or safety of others, the animal will be excluded from the Library.
- g. Bringing bicycles into the library. Using skateboards, rollerblades, roller skates, or other sports equipment in the Library or on Library property.
- h. Walking inside the Library in bare feet.
- i. Using Library facilities for the purpose of bathing or sleeping.

- j. Leaving personal items such as backpacks unattended. Library staff reserve the right to limit the amount of personal belongings any individual may bring into the Library.
- k. Blocking access to the Library or the circulation of motor vehicles in the parking lot or garage in such a way as to interfere with the safe or efficient operation of the Library or the convenience of Library patrons.
- l. Leaving children under ten years unattended, except during the time they are part of a Library-sanctioned activity.

For purposes of this Policy, unattended means a child five years and under who is not accompanied by a responsible adult or a child from six through nine years without a responsible adult in the building.

- m. Engaging in unlawful sexual conduct, such as public indecency or offensive touching.
- n. Destroying, damaging, or defacing library property.
- o. Possessing a weapon, except as permitted by ORS 166.370.
- p. Engaging in activities prohibited by law.

4.08.021 Enforcement

- a. The Library Director or the Director's designee will implement these rules. Unlawful activities will be reported to a local law enforcement agency. People who violate rules a. through k. will be asked to stop such actions. If the behavior continues, they will be directed to leave the Library for the day. Refusal to leave when properly directed may result in arrest for trespassing. When people violate rules m. through p., law enforcement will be contacted immediately. The Library may deny a person who has repeatedly violated rules a. through k. permission to enter any and all service points for a specified time, from one week up to one year. If a person has violated rules m. through p., the Library may deny permission to enter any and all service points for a specified time, from thirty days to one year. If, in the judgment of the Library Director, the person constitutes a threat to the safe operation and use of the Library, the person may be permanently excluded. Such a person will be entitled to telephone or off-site library services. Bans of longer than two days are normally given by the Library Director or his/her

designee in writing. Failure to provide written notice is not a basis for a person who has been given oral instructions not to enter a service point for a period of time to enter. **A person excluded from the Library may have additional conditions they have to meet prior to being allowed to return to the Library.**

- b. If a child has been left unattended in the Library **(4.08.020(I.))**, staff will attempt to locate the caregiver. If the caregiver cannot be located, or if the Library is closing, law enforcement will be notified.

4.08.022 Appeal

People who have received a notice that restricts future access to the Library may request a hearing. The request must be in writing and filed at Corvallis City Hall within 48 hours (exclusive of weekends) of receipt of the notice. The Library Director will schedule a hearing, which shall not be more than one week after receipt of the request. The hearing will be informal, and the Library Director will consider testimony from Library staff involved in the incident, from the person requesting the hearing, and from any other witnesses to the incident. At the conclusion of the hearing, the Library Director may affirm, modify, or cause the notice to be canceled. A written copy of the decision will be delivered or mailed to the person requesting the hearing on the date issued. This decision may be appealed to the City Manager of Corvallis or the City Manager's designee.

4.08.030 Review and Update

~~This Leisure and Cultural Activities Policy will be reviewed triennially in October by the Library Director and updated as appropriate.~~ **The Library Director will prepare the Council Policy Review every three years for Council approval.**

MEMORANDUM

October 14, 2014

TO: Human Services Committee

FROM: Ken Gibb, Community Development Director



SUBJECT: Corvallis Rental Housing Code/Program Annual Report 2013-14

I. ISSUE

This report provides a summary of information that has been collected through the City's Rental Housing Program and related to the Rental Housing Code during its twelve years of operation.

II. BACKGROUND

After two years of data collection and one year of program design, the City's Rental Housing Code (RHC) was implemented in July of 2002. The Code originally established standards in four areas (plumbing, heating, structural, and weatherization) that all Corvallis residential rental units must meet. In 2008, City Council added door locks, window latches, and smoke detectors to the Code. Gaining compliance with these standards is a function of the Housing and Neighborhood Services Division, and is carried out on a complaint-driven basis. Funding for code enforcement and delivery of the Rental Housing Program is derived from a per unit fee paid annually by rental property owners and managers. The original \$8 per unit fee was increased to \$10 for FY 09-10 and to \$11 in FY 11-12. In FY 12-13 it increased to \$12.

III. DISCUSSION

The number of Rental Housing Program contacts (phone calls, drop-ins, e-mails) increased each year from program inception through FY 06-07, decreased in FY 07-08, and then increased again in FY 08-09 through FY 10-11. In FY 11-12 the number of calls decreased 16.3% relative to FY 10-11; the number of contacts decreased again in FY 12-13 by 18% compared to FY 11-12. In FY 13-14, the number of calls increased 10.9%, led by a 24.8% increase in tenant calls relative to the previous year. The table on the following page categorizes contacts by type:

Contacts by Type of Caller						
		Contacts by Tenancy Type			Contacts by Student	
Year	Total	Tenant	Landlord	Other	Student	Non-student
2002-03	415	274	79	62	100	315
2003-04	434	267	100	67	104	330
2004-05	440	266	108	66	92	348
2005-06	513	286	123	104	93	420
2006-07	546	286	113	147	94	452
2007-08	475	281	86	108	107	368
2008-09	527*	296	115	116	106	415
2009-10	641	363	146	132	123	518
2010-11	845	465	179	201	182	663
2011-12	707**	372	177	158	141	566
2012-13	577	278	167	132	101	474
2013-14	640	347	143	150	67	573
Total	6,760	3,781	1,536	1,443	1,310	5,442

* This total includes 6 contacts for which student/non-student status could not be determined.

** This total includes 2 contacts for which student/non-student status could not be determined.

As a result of the 6,760 contacts identified in the foregoing table, a total of 11,341 issues have been raised since the inception of the Rental Housing Program (individual contacts often generate multiple issues). Each reported issue is placed into one of three categories: Rental Housing Code related, non-Rental Housing Code related (but involving a habitability issue), and non-habitability issues (deposits, neighborhood livability, lease terms, etc.) The table on the next page categorizes each year's issues by type:

Issue Type				
Year	Total	Rental Housing Code	Non-Code	Non-Habitability
2002-03	632	117	97	418
2003-04	697	109	130	458
2004-05	675	108	85	482
2005-06	788	137	97	554
2006-07	901	157	124	620
2007-08	827	153	128	546
2008-09	953	184	132	637
2009-10	1,111	227	126	758
2010-11	1,454	236	150	1,068
2011-12	1,163	197	114	852
2012-13	982	152	118	712
2013-14	1,158	223	130	805
Total	11,341	2,000	1,431	7,910

Of the six Rental Housing Code issue types (heating, plumbing, weatherproofing, structural, smoke detectors, and locks/latches), plumbing (36.8%) and weatherproofing (28.3%) issues continue to be the two most frequently reported complaint types. Garbage/vermin complaints represented 57.7% of the non-Code contacts in FY 13-14 (the same number of complaints as in FY 12-13), and the category “other” (deposits, notices, etc.) made up 62% of the non-habitability issues, an increase from previous years’ data.

Although a relatively high number of habitability issues subject to the Rental Housing Code are reported to the City each year, the number of actual enforcement actions has remained comparatively low. This trend has held because, in many cases, issues are resolved through direct discussions between tenants and their landlords, or because tenants choose not to pursue a complaint once they realize they must interact directly with their landlord to go through the process. The Code requires that, prior to the City inspecting an alleged violation and taking enforcement action, tenants initiate a formal written contact and request for repairs of the violations. In most cases tenants will note in their communication that they believe the issue in question represents a violation of the City’s Rental Housing Code.

During FY 13-14, seven violation cases were opened: one for a plumbing leak, two for nonfunctional door locks, one for a lack of smoke detectors, two for inadequate heat, and one for a lack of hot water. The first six cases noted above were corrected through compliance orders, two of which were issued for the same property. The lack of hot water case noted above was inconclusive.

IV. CURRENT PROGRAM STATUS

As a result of a set of recommendations that came from the City/OSU Collaboration Project and at the direction of the City Council, the concept of a more inclusive property maintenance code has been under discussion in the community for two years, and is currently under review by the Administrative Services Committee. As that community discussion has been underway, organizational changes have been made within the Community Development Department to increase the City's code compliance focus on livability issues.

Toward that end, in August 2014 the Housing Division became the Housing and Neighborhood Services (HNS) Division, and code compliance staff from the Development Services Division (the Code Compliance Supervisor, a .5 FTE levy-funded Code Compliance Specialist, and two casual Code Compliance Specialists) have been reassigned to HNS. Code compliance work within HNS is focused primarily on livability issues within residential areas of the City, and staff are working under the authority of three current City codes: the Corvallis Municipal Code, the Land Development Code, and the Rental Housing Code. The Development Services Division will continue to focus its code compliance work on Building Code violations such as work without permits, illegal use/conversion of space, and dangerous buildings.

V. ACTIONS/RECOMMENDATIONS

A Human Services Committee recommendation of City Council acceptance of this report is requested.

Review and Concur:



Nancy Brewer
City Manager *Pro Tem*

Oct 21, 2014

If someone comes into a city park, and is not carry a gun, then that person will not be able to shoot anyone accidentally or on purpose. A gun shot that happens in a park ...happens because someone had a gun.

Our Corvallis city parks have been very safe....

--in the past 20 years or so that have lived in Corvallis I know of NO gun shootings or accidents~~—~~^{in parks} that is because...people have not even been thinking about taking a loaded gun into any park.

~~That means~~^{Thus}... no gun in a ^{city} park =equals=, not having a gun shooting or gun accident in a city park!

An Open Carry ban is logical in this day and age,... where many people now want to show off and carry guns, when that is not even necessary and certainly is NOT what the majority of Corvallis citizens want.

Rob Simpson