

ARTICLE TWO -- REGULATIONS

DIVISION ONE - LIQUOR LICENSES

[Adopted as Division One of Article II on  
February 21, 2001]

SECTION 02.01.010                    RESERVED

SECTION 02.01.020                    RESERVED

SECTION 02.01.030                    PURPOSE

Oregon statute authorizes the Oregon Liquor Control Commission to take into consideration the recommendation of the local governing body before granting or denying a liquor license. The purpose of this Division is to set forth the grounds for unfavorable recommendations by the Board of Commissioners or its designee on liquor license applications under ORS 471.164 - ORS 471.166, and to provide for public comment.

SECTION 02.01.040                    GROUND FOR UNFAVORABLE  
RECOMMENDATIONS

- (1) Unfavorable recommendations on liquor licenses shall be based on those factors set forth at ORS 471.313(4), (5), and the administrative rules of the Oregon Liquor Control Commission at Chapter 845, Division 5.
- (2) Unfavorable recommendations shall be based on reliable factual information that may include, but is not limited to, personal observations of activities in or around the proposed licensed location. Reliable factual information shall not include opinion, hearsay, feelings, beliefs or speculation.
- (3) Reliable factual information may be received from individuals, or from representatives of organizations, facilities, or government agencies, or from other sources determined by the Board of Commissioners or its designee to be reliable.

SECTION 02.01.050                    OPPORTUNITY FOR PUBLIC COMMENT

All applications for liquor licenses presented to Coos County for a local government recommendation under ORS 471.166 shall appear on the agenda for the weekly meetings of the Board of Commissioners, at which time members of the public shall be invited to comment on the listed applications.

DIVISION TWO - SOCIAL GAMES BUSINESS LICENSES

SECTION 02.02.010

GAMBLING

- (1) No person shall participate in, operate, or assist in operating any gambling game or activity, including a lottery.
- (2) The term gambling shall mean any contest, game, gaming scheme or gaming device played for anything of value in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.
- (3) The term "gambling" shall not include social games.
- (4) "Social games" means:
  - (a) A game, other than a lottery, between players in a private home where no house player, house bank or house odds exist and there is no house income from the operation of the social game; and
  - (b) Games, other than a lottery, between players in a private business, private club, or place of public accommodation where no house player, house bank or house odds exist and there is no house income from the operation of the social game.
- (5) With respect to the social games set forth in Section 02.02.010(4)(b), except for fraternal organizations as defined in ORS 307.134, there shall be a limit on any bet of \$5.00.

SECTION 02.02.020

PERMITS

- (1) No person who owns, manages or operates a private business, private club or place of accommodation shall permit a social game between players at such place without first securing a permit for such purpose from the Coos County Board of Commissioners.
- (2) Permits issued for such purpose shall be valid for a period of one (1) year from the date of issue.
- (3) Such permit shall be issued in the name of the owner of the premises for which the permit is sought. A separate permit is required for each location at which social games are to be conducted.
- (4) The cost of such permit shall be One Hundred (\$100.00) Dollars.
- (5) Any person applying for a permit under the terms of this Division must file a sworn written application with the Coos County Sheriff on a form provided by the Sheriff which application shall

include, among other things, the true names, addresses, telephone numbers, dates of birth, business experience and past criminal records, if any, of all persons who have any financial interest in the business. The term "person financially interested" shall include all persons, and their spouses, who share in the profits of the business, on the basis of gross or net revenue, or are employed by the business. The term shall include owners, operators, managers and employees of the business. If the business is a corporation, the term shall include its board of directors, officers, registered agent and any stockholder holding more than ten (10) percent of the stock thereof. If the business is a partnership, the term shall include all partners of the business. The term may also include landlords, lessors, lessees and the owner or owners of the building, fixtures or equipment of the business or activity if they share in the profits of the business. The application shall be accompanied with a One Hundred (\$100.00) Dollar non-refundable investigation fee. The Sheriff shall then conduct a background investigation based on the foregoing information. [91-06-007L]

SECTION 02.02.030

REVOCACTION OF PERMIT

- (1) Any permit issued pursuant to the provisions of this division may be revoked upon violation of the provisions hereof.
- (2) Prior to revocation of a permit, a hearing shall be held by the Board following ten days written notice of proposed revocation to the holder of the permit.

DIVISION THREE - AMBULANCE SERVICE AREAS AND PLAN

[Article Two, Division Three was extensively revised by Ordinance 15-04-002L, effective July 20, 2015]

SECTION 02.03.010

POLICY AND PURPOSE

The Board of Commissioners finds:

1. That ORS Chapter 682.062 requires Coos County to develop a plan for the county relating to the need for and coordination of ambulance services and to establish Ambulance Service Areas (ASA) consistent with the plan to provide efficient and effective ambulance service.
2. That Article Two, Division Three of the Coos County Code is the Coos County Ambulance Service Plan, and establishes:
  - A. Ambulance Service Areas.
  - B. The method for selecting an ambulance provider for each service area.
  - C. The Coos County Emergency Medical Services Advisory Committee.
  - D. Other provisions relating to ambulances and Quick Response Teams.
3. That the purpose of this plan is to:
  - A. Promote reasonable, fair and equitable rates for ambulance service.
  - B. Promote financially stable ambulance services.
  - C. Eliminate duplication of service, thereby minimizing consumer cost.
  - D. Promote cooperation among the county, cities, special districts, and other agencies.
  - E. Ensure the safety and availability of ambulance services.
  - F. Ensure that the appropriate clinical and operational performance is provided to the community.
4. The Coos County Board of Commissioners has considered each item in this Ambulance Service Plan. In the judgment of the Board, the Ambulance Service Areas established by this Division provide for effective and efficient provision of ambulance services and comply with the applicable provisions of the Oregon Revised Statutes and Oregon Administrative Rules.

SECTION 02.03.020

EXEMPTIONS

This Division shall not apply to:

1. Ambulances owned by or operated under the control of the United States Government.
2. Vehicles being used to render temporary assistance in the case of a major catastrophe or emergency with which the ambulance services of the surrounding locality are unable to cope, or when directed to be used to render temporary assistance by an official at the scene of an accident.
3. Vehicles operated solely on private property or within the confines of institutional grounds, whether or not the incidental crossing of any public street, road or highway through the property or grounds is involved.
4. Vehicles operated by lumber industries solely for the transportation of lumber industry employees.
5. Ambulances or vehicles transporting patients from outside the County to a health care facility within the County or which are passing through without a destination in the County.
6. Hospital based Specialty Care Transport Ambulance that transports Specialty Transport Teams, such as the Panda Unit from OSHU or a Critical Care Transport Unit, responding from a receiving hospital outside the county to pick up a patient for transport back to the receiving hospital. Staffing and equipment must exceed ambulance services available with providers within the county.
7. Vehicles not covered by subsections (1) to (6) of this Section that are not required to hold a Division issued Ambulance License, such as a wheelchair car or stretcher van.
8. Any person who drives or who attends an ill, injured or disabled person in a vehicle mentioned in subsection (1) to (7) of this section.

SECTION 02.03.030

OVERVIEW OF COUNTY

Lying between the crest of the Coast range and the Pacific Ocean, the majority of Coos County is steep and forested, with the Coos and Coquille river valleys and the Coastal lowlands providing the only level, cultivatable agricultural lands. Current population of Coos County is approximately 63,500.

There are seven incorporated cities in Coos County with six cities providing law enforcement services. The Sheriff's Office provides law enforcement services in the unincorporated areas. There are sixteen Fire Departments that service cities and/or county areas and six assigned ASA's.

SECTION 02.03.040

DEFINITIONS

The words and phrases in this Division shall have the meaning provided in ORS Chapter 682 and OAR Chapter 333, Divisions 250, 255, 260 and 265, unless specifically defined herein to have a different meaning.

**Advanced Level care** - means the care provided by an ambulance and staff meeting the requirements of OAR Chapter 333-255-0072.

**Basic Level Care** - means the care provided by an ambulance and staff that meets the requirements of OAR Chapter 333-255-0070.

**Intermediate Level Care** - means the care provided by an ambulance and staff that meets the requirements of OAR Chapter 333-255-0071.

**Emergency Medical Responder (EMR)** - has the meaning set forth in OAR Chapter 333-265-0000.

**Emergency Medical Technician (EMT)** - has the meaning set forth in OAR Chapter 333-265-0000.

**Advanced Emergency Medical Technician (AEMT)** - has the meaning set forth in OAR Chapter 333-265-0000.

**Emergency Medical Technician Intermediate (EMT I)** - has the meaning set forth in OAR Chapter 333-265-0000.

**Paramedic** - has the meaning set forth in OAR Chapter 333-265-0000.

**Ambulance-or ambulance vehicle** - means any privately or publicly owned motor vehicle, aircraft, or marine craft that has been issued an Ambulance License under OAR Chapter 333, Division 255.

**Ambulance License** - has the same meaning as the term 'license' in OAR Chapter 333-255-0000.

**Ambulance Service** - means the transportation of an ill injured, or disabled person in an ambulance, including if necessary, the administration of emergency or non-emergency care provided in connection with such transportation.

**Ambulance Service Area (ASA)** - means a geographic area within Coos County that is served by one Emergency Ambulance Service Provider and one or more Non-Emergency Ambulance Service Provider(s).

**Frontier** - means the areas of Coos County with a population of less than 2,000 or a population density of six or fewer per square mile, and accessible by passable roads.

**Rural** - means an incorporated community within Coos County with a population density of 2,000 to 10,000 which is not urban or suburban, and the area within a radius of twenty-five miles of that community's center which is not urban or suburban.

**Suburban** - means an area within Coos County that is not urban and which is contiguous to an urban community. It includes the area within a five mile radius that has a population density of 1,000 or more per square mile.

**Urban** - means an incorporated community within Coos County with a population density of 10,000 or more.

**Ambulance Service Plan** - means Article Two, Division Three of the Coos County Code.

**Ambulance Service Provider** - means an individual, partnership, corporation, association, governmental agency or other entity that holds a Division-issued ambulance service license to provide emergency and non-emergency care and transportation to sick, injured, or disabled persons.

**A.P.C.O.** - Associated Public-Safety Communications Officers Inc.

**Communication System** - means two-way radio communications between ambulances, dispatchers, hospitals, and other agencies as needed. A two-channel multi-frequency capacity is minimally required.

**County Government or County Governing Body (County)** - means the Coos County Board of Commissioners.

**Dispatch Center** - means any dispatch, communications, Public Safety Answering Point (PSAP), or information receiving area, including but not limited to any fire, police, hospital, or private facility that is responsible for any request for emergency medical care and the dispatching or tap-out of ambulances or emergency medical services.

**Division** - means, depending on the context, either the Health Services Division of the Oregon Department of Human Services or Article Two, Division Three of the Coos County

Code.

**Emergency** - means any out-of-hospital occurrence or situation involving illness, injury, or disability requiring immediate medical or psychiatric services, wherein delay in the provision of such services is likely to aggravate the condition and endanger personal health or safety.

**Emergency Ambulance Service Provider** - means an ambulance service provider that has been assigned an Ambulance Service Area by the Board of Commissioners based on an application submitted pursuant to Section 02.03.120(2) of this Division.

**Emergency Care** - has the meaning set forth at ORS § 682.025.

**Emergency Inter-Facility Transfer** - means an occurrence or situation requiring an immediate inter-facility transfer, wherein delay in the provision of such transfer is likely to aggravate the condition or endanger personal health or safety of the patient.

**Emergency Medical Service (EMS)** - has the meaning set forth at OAR Chapter 333-260-0010.

**Emergency Medical Services (EMS) Agency** - has the meaning set forth at OAR Chapter 333-265-0000.

**Health Officer** - means the Coos County Health Officer, or designee.

**Initial Responder** - means an EMS response by a responder that is not an Ambulance or Quick Response Team.

**Inter-facility transfers** - means the transfer of a patient between hospitals or transfers from a hospital to a residential care facility, assisted living facility, adult foster care home, convalescent hospital or private residence. The transferring physician shall be responsible for determining whether an inter-facility transfer is an emergency or non-emergency transfer.

**Non-Emergency Ambulance Service Provider** - means an ambulance service provider that has been assigned an Ambulance Service Area by the Board of Commissioners based on an application submitted pursuant to Section 02.03.120(3) of this Division.

**Non-Emergency Care** - has the meaning set forth at ORS 682.025.

**Non-Emergency Inter-Facility Transfer** - means an inter-facility transfer that does not meet the definition of an emergency inter-facility transfer.



**Notification Time** - means the length of time between the initial receipt of the request for emergency medical service by either a provider or an emergency dispatch center (or 9-1-1 Center), and the notification of all responding emergency medical service personnel.

**Patient** - means an ill, injured, or disabled person transported in an ambulance.

**Pre-hospital** - means that care rendered as an incident of the operation of an ambulance as defined by this chapter and that care rendered as incidents of other public or private safety duties, and includes, but is not limited to, "emergency care". (OAR Chapter 333-255-0000(26)).

**Provider** - has the meaning set forth at OAR Chapter 333-260-0010.

**Provider Selection Process** - means the process set forth in this Division for selecting an ambulance service provider or providers.

**PSAP** - means Public Safety Answering Point.

**Out of Hospital Care** - means medical, emergency or non-emergency care rendered to the ill, injured or disabled during inter-facility transport from one medical facility (hospital or clinic) to another medical receiving hospital for services or procedures unavailable at the sending facility.

**Quick Response Team** - means an organized group of individuals who meet minimum state standards as first responders and travel to the scene of illness or injury to provide immediate on-scene medical care prior to the arrival of an ambulance.

**Response Time** - has the meaning set forth at OAR Chapter 333-260-0010.

**Search & Rescue Area**- means areas of Coos County that are primarily forest, recreational or wilderness lands that are not accessible by paved roads or not inhabited by six or more persons on a year round basis.

**Specialty Level care** - means care provided by an ambulance and staff meeting requirements of OAR Chapter 333-255-0073.

**Supervising Physician** - means a medical or osteopathic physician licensed under ORS Chapter 677 who is actively registered and in good standing with the Board of Medical Examiners, who provides direction of emergency or non-emergency care by emergency medical technicians. (This supervision covers applicable EMT's and Quick Response

Teams).

**System Response Time** - means the elapsed time from when the Public Service Answering Point (PSAP) receives the call until the arrival of the appropriate provider unit(s) on the scene.

SECTION 02.03.050

AMBULANCE SERVICE AREA BOUNDARIES

1. For the efficient and effective provision of ambulance services in accordance with the Coos County Ambulance Service Plan, the Ambulance Service Areas shown on the map attached hereto as Appendix I-One, are hereby adopted as the Ambulance Service Areas for Coos County.
2. The boundaries for the Ambulance Service Areas have been defined in part by population density, transport time, telephone prefix (which allows identification of ASAs by 9-1-1 centers). In many areas boundaries overlap because of:
  - Lack of sophisticated telephone equipment that can identify caller's address, area, or district.
  - Variable weather and road conditions, so two ambulances may be dispatched simultaneously.
3. Given these limitations, the present boundaries are the most efficient. Boundaries will be reviewed for possible modification by the EMS Advisory Committee as dispatch equipment, roads, populations, and providers change. The EMS Advisory Committee will make recommendations to the Board of Commissioners regarding modification of boundaries. The Board of Commissioners, by the adoption of an Order, may adjust the boundaries of the Ambulance Service Areas from time to time as necessary to provide efficient and effective ambulance services.
4. Narrative Description of Ambulance Service Areas.
  - A. ASA-1 (Bay Area) - The area encompassing Coos Bay and North Bend, Eastside, Charleston, and those areas located between the Coquille, Myrtle Point, and Lakeside ASA boundaries.
  - B. ASA-2 (Coquille) - Highway 42 from Coaledo (MP 5) east to Finley Loop (MP 16). North Bank Road south to Hatchet Slough (MP 6) and Beaver Hill Road to Highway 101. Fairview Road headed east to the end of the road and the Moon Creek area. From Fairview, north to Blue Ridge and south through McKinley to and including Cherry Creek Road and surrounding area west side of Cherry Creek Hill to

Dora Ridge Rd. West on McKinley-Lee Valley Road to 98916 McKinley Lane (also including the Middle Creek Road). Highway 42-S from Coquille to MP 7 and Lampa Mountain Road east to the Halls Creek\Fishtrap Junction and on Fishtrap Road east to Arago and loop around to Fat Elk Road to Highway 42-S.

- C. ASA-3 (Myrtle Point) - Highway 42 east to the Coos/Douglas county line including the Bridge and Remote communities. South of Myrtle Point on Highway 242 (Powers Highway) to approximately MP 11 north of Hayes Hill which includes communities of Broadbent, Gaylord, and the areas of Yellow Creek and Dement Creek. West of Myrtle Point includes the areas of Catching Creek, Pleasant Valley, Halls Creek, and Arago. Highway 42 north to the east Finley Loop. Up Lee Valley/Fairview Road north to MP 8 and easterly over Hervey Bridge to approximately MP 5. Back over Fox Bridge taking in Summerlin Road and over to Gravelford. From Myrtle Point North Easterly to the Dora\Sitkum area to the Coos\Douglas County line (up east side Cherry Creek Hill to Dora Ridge, Weaver Road area, Camas Creek and Brummit Creek areas).
- D. ASA-4 (Bandon) - Highway 101 from Curry/Coos County line north to Highway 101 and the Beaver Hill Junction. Main roads served around the City of Bandon are: Beach Loop Drive, Rosa Road, Sea Bird Lane, Bills Creek Road, Jetty Road, and Riverside Drive. Highway 42-S and Highway 101 junction to Lampa Mountain Road and Highway 42-S. Seven Devils Road from Highway 101 northwest to Seven Devils Wayside. Also covers the Whiskey Run Road and residential area.
- E. ASA-5 (Powers) - Highway 242 (Powers Highway) from near MP 11 south to the city limits of Powers. Main roads in the service area include City Road, North Road, Reeds Road off Salmon Creek Road, Johnson Mountain Road to County line, Mill Creek Road to County line, and Coquille River Road to County line.
- F. ASA-6 (Lakeside) - The western boundary shall be the immediate area adjacent to the Pacific Ocean. The eastern boundary and northern boundary shall be the Coos/Douglas county line. The southern boundary runs east and west of the junction of Highway 101 and the Spinreel exit.

1. Standards for Response Times

County Ambulance Service Providers will meet the following response time standards for all emergency 9-1-1 calls.

- A. Ambulance responders will notify Dispatch Centers by radio or telephone that they are responding within five minutes of tap-out.
- B. Ambulance arrival time for potential life threatening emergencies:
  - Urban 8 minutes at 90%
  - Suburban 12 minutes at 90%
  - Rural 30 minutes at 90%
  - Frontier no response time
  - Search & Rescue no response time

2. Standards for Level of Care

County Ambulance Service Providers shall meet the following minimum level of care standards when responding to any emergency or non-emergency call:

- Urban Paramedic Level 90% of time
- Suburban Paramedic Level 90% of time
- Rural Intermediate Level 90% of time
- Frontier Basic Level 100% of time

3. Current Ambulance Service Provider Personnel, Levels of Care, Pre-Arranged Interfacility, and Interfacility Transports.

The information provided in this section reflects the personnel and level of care provided at the time of revision of this Division. Personnel and level of care may fluctuate with personnel turnover and training.

- A. Bay Cities Ambulance is a private company located in Coos Bay. Bay Cities Ambulance staff includes EMT Basics, Intermediates, and Paramedics to provide Basic Level through Advanced Level Care. Bay Cities Ambulance also provides Emergency Care, Non-emergency Care, Pre-arranged Non-Emergency Care, and Inter-facility transfers. Bay Cities Ambulance also provides Stretcher Car and Wheelchair Van transport services. They have four units that respond from their office at 3505 SE Ocean Blvd, Coos Bay. All Bay Cities' ambulances are staffed and equipped to provide Advanced Level and Special Level Care. Bay Cities Ambulance also works with local fire departments and their Emergency Medical Responders. Bay Cities

Ambulance also has one unit in the Bandon area that responds from 110 18<sup>th</sup> Street SE, Bandon, OR. Bay Cities Ambulance's primary hospitals are Bay Area Hospital and Southern Coos. All Units are available 24 hours a day.

- B. Coquille Valley Ambulance is under the management of the City of Coquille and is staffed 24 hours a day by a combination of paid personnel and on-call volunteers. Coquille Valley Ambulance provides Basic Level through Advanced Level Care with EMTs, Intermediates, and Paramedics. Coquille Valley Ambulance provides Emergency Care, Non-Emergency Care, Prearranged Non-emergency Care and Inter-facility Transfers. Upon request they will also provide local stretcher car services to local residents. Coquille Valley Ambulance has two ambulance units staffed and equipped to provide Advanced Level Care or Specialty Level Care. Coquille Valley Ambulance also works with local fire departments and their Emergency Medical Responders. Coquille Valley Ambulance serves the City of Coquille and Coquille Valley Hospital.
  
- C. Myrtle Point Ambulance is under the management of the City of Myrtle Point, working in conjunction with the Myrtle Point Health District. Myrtle Point Ambulance is staffed 24 hours a day by a combination of paid full-time personnel and paid part-time personnel providing Basic through Advanced Level Care within ASA #3. Myrtle Point Ambulance staffs Emergency Medical Technicians, EMT-Intermediates, and Paramedics to provide Emergency Care, Non-Emergency Care, and Inter-facility Transfers. Myrtle Point Ambulance also utilizes Emergency Medical Responders from several local Fire Districts. Myrtle Point Ambulance has two Type-3 ambulances staffed and equipped to provide Advanced Life Support and Specialty Level Care which respond from the Fire and Ambulance Station at 4<sup>th</sup> and Maple Streets in Myrtle Point. Myrtle Point Ambulance's primary hospitals are Coquille Valley Hospital and Bay Area Hospital.
  
- D. Powers Ambulance is under the management of the City of Myrtle Point. Powers Ambulance is staged by on-call volunteers who respond to the fire department, and staff their ambulances. Powers Ambulance has a volunteer staff of EMT Basics, Intermediate, and First Responders. Powers Ambulance provides Basic Level Care. Powers Ambulance also works with local fire departments and their Emergency Medical Responders. Myrtle Point Ambulance provides ambulance transport from a designated meeting site approximately half-way

between the two cities to provide Advanced Level Care. Powers Ambulance has two ambulance units that respond from 3<sup>rd</sup> and Fir Streets to serve the City of Powers and within the Powers Unified School District boundaries. See Section 02.03.050 4-E.

- E. LUH-EMS is owned and operated by Lower Umpqua Hospital District. Based at Lower Umpqua Hospital in Reedsport, LUH-EMS has full-time, on-call, and volunteer staff of EMT Basics, Intermediates, and Paramedics. LUH-EMS maintains one ALS ambulance fully staffed, a second ALS equipped ambulance ready to respond, as well as a third ambulance for mechanical back-up. LUH-EMS provides Emergency Care, Non-Emergency Care, and Interfacility transports. LUH-EMS also provides continuing education hours for EMS providers with local Fire Departments. Responding from Lower Umpqua Hospital, LUH-EMS serves northern Coos County, and western Douglas County.
- 4. Medical Supervision for all ambulance service providers and Quick Response Teams shall be provided by a supervising physician.
  - 5. Patient Care Equipment will meet all State standards and regulations.
  - 6. All ambulances will comply with State standards regarding equipment and maintenance.
  - 7. Continued training is provided by:
    - S.O.C.C. provides training for EMT's
    - Supervising Physicians
    - Ambulance Providers
    - Hospitals
    - Fire departments

SECTION 02.03.070

QUALITY IMPROVEMENT

- 1. The EMS Advisory Committee shall be in charge of Quality Improvement within the County.
  - A. The EMS Advisory Committee may request and shall receive Quality Improvement conclusions from all agencies dealing with all levels of care provided by any ambulance service provider within the county meeting any of the definitions derived in this ordinance.
  - B. All information received shall be kept confidential.

2. The County Commissioners may seek additional input on quality improvement issues or Emergency Medical Services Advisory Committee findings from the State Health Division, EMS Section, or from other sources the Commissioners identify.
3. Problems identified in the Quality Improvement process will be addressed pursuant to the provisions of Section 02.03.090. Action taken may include an outline of a plan of assistance, a request for a plan of correction, or the suspension or revocation of an ASA assignment. All information received shall be kept in line with Protected Health Information.
4. Monitoring Process
  - A. Will be conducted by each ASA and any "fallouts" from established response times will be reviewed at each EMS Advisory Committee quarterly meeting. Forms will be provided by EMS Advisory Committee.
  - B. Information and concerns will be obtained from the public, EMS providers, ambulance service providers, patient care information, radio transmission tapes, trauma registry forms, etc.

SECTION 02.03.080

COORDINATION

1. An Emergency Medical Services (EMS) Advisory Committee is hereby created and shall be made up of the following voting members:
  - Position #1: ASA 1 and 4
  - Position #2: ASA 2
  - Position #3: ASA 3
  - Position #4: Public
  - Position #5: ASA 5
  - Position #6: ASA 6
  - Position #7: Coos County Emergency Manager
  - Position #8: Law Enforcement
  - Position #9: Fire Department
  - Position #10: Hospital
  - Position #11: Health Department
  - Position #12: 9-1-1
  - Position #13: Hospital
  - Position #14: Public
2. Except in the case of a Supervising Physician or a Representative from an Ambulance Service Provider assigned an ASA under this Plan, no person shall hold a voting position on the EMS Advisory Committee if that person or the person's relative has any present pecuniary interest in an Ambulance Service Provider operating within Coos County. For the purposes of this

section, the term 'relative' means the spouse of the person, any children of the person or the person's spouse, and brothers, sisters or parents of the person or their spouse.

3. All members of the Advisory Committee shall conduct themselves in accordance with ORS §§ 244.120(2) and 244.130 (Method of Handling Actual or Potential Conflicts).
4. Members of the Emergency Medical Services Advisory Committee will be appointed by the Coos County Board of Commissioners. Advice and recommendations will be related to standards of medical care, coordination of medical care, or other medical issues. The intent of such advice is to coordinate all ambulance services provided within Coos County as required by ORS 682.062, provide technical advice, provide relevant information from hospitals to EMS providers, and to assist Supervising Physicians.
5. The Committee will:
  - A. Review existing standards and make recommendations for improvement or new standards to the County Commissioners for all matters regarding OAR Chapter 333-260 and related provisions.
  - B. Review and make recommendations to the Board of Commissioners regarding all applications for Ambulance Service Area assignments and soundness of ASA's. That the call volume of all ASA's is sufficient to financially support the level of service required or else demonstrate financial soundness of the areas through other income sources.
  - C. Review and make recommendations regarding effectiveness and efficiency of ASA, including but not limited to:
    - Monitoring coordination between EMS resources OAR Chapter 333-260-0060.
    - Dispatch procedures and compliance (ambulances and other emergency resources) OAR Chapter 333-260-0060.
    - Consideration of recommendations from Quality Improvement mechanisms within system.
    - Input from consumers, providers, and the medical community, in all matters regarding EMS OAR Chapter 333-260-0060.
    - Effectiveness and efficiency ASA boundaries.
    - Development of Data Screens.
    - Review of Quality Improvement Findings from other agencies.



- D. Conduct all meetings in accordance with ORS §§ 192.610 to 192.690.
6. The Committee shall meet at least quarterly. Decisions can be passed by a majority vote of those attending. A quorum of the EMS Advisory Committee shall be fifty-percent plus one (50% + 1) of the total number of members appointed to the committee. For the purpose of determining a quorum, the total number of members appointed to the committee shall not include any vacant position or any position that is filled by an appointee that is ineligible to vote on the matter before the committee due to an actual conflict of interest.
  7. Members will be appointed by the Board of Commissioners for two (2) year terms and serve at the pleasure of the Board.
  8. The Emergency Medical Services Advisory Committee will review and make recommendations to the Board of Commissioners regarding all Applications for assignment of Ambulance Service Areas; periodically review the performance of ambulance service providers with Coos County; periodically review this Division and make recommendation to the Board of Commissioners including, but not limited to:
    - Review standards established in the plan and make recommendations regarding improvement and/or new standards as required by OAR Chapter 333-260-0060.
    - Monitor coordination between emergency medical service resources.
    - Review dispatch procedures and compliance.
    - Review the effectiveness and efficiency of the Ambulance service Area boundaries.
    - Develop and implement a quality improvement program.

SECTION 02.03.090

COMPLAINT REVIEW

1. Should a complaint arise, the complainant will be encouraged to direct the complaint to the provider. The provider will make every effort toward resolution and record this interaction. If there is a failure to resolve the issue, ~~to~~ the issue will be brought to the EMS Advisory Committee and a special meeting will be convened and recorded. The EMS Advisory Committee would meet separately with the provider first. The EMS Advisory Committee will then convene a special meeting with the complainant to attempt resolution of the issue(s). If the issue(s) involves patient care, the provider's physician advisor will be involved in the process of resolution.
2. If the efforts toward resolution are unsuccessful in

providing a solution, the EMS Advisory Committee shall meet with the provider to arrive at a recommendation, which will then be forwarded with all records of proceedings to the County Commissioners.

3. The Coos County Board of Commissioners shall forward public complaints/comments to the EMS Advisory Committee with a request for investigation. A return of facts or findings to the Board of Commissioners will be received at regular business meetings of the EMS Advisory Committee, either orally or in writing. The EMS Advisory Committee will work with Ambulance Service Providers to resolve any complaints or concerns.
4. Upon a recommendation by the EMS Advisory Committee, or upon its own motion, the Board of Commissioners may suspend or revoke the assignment of an Ambulance Service Area upon a finding that the holder thereof has:
  - A. Willfully violated provisions of this Division or provisions of State or Federal laws and/or regulations; or
  - B. Materially misrepresented facts or information given in the application for the assignment of an Ambulance Service.
  - C. Generated multiple or significant complaints from any one provider that need to be investigated by other agencies, fire departments, health care facilities, the medical community, or the public concerning the provider's performance or quality of service.
5. In lieu of the suspension or revocation of the assignment of Ambulance Service Area, the Board may order that the violation be corrected and make the suspension or revocation contingent upon compliance with the order within the period of time stated therein. Notice of the Board action shall be provided to the holder of the assignment, which shall specify the violation, the action necessary to correct the violation and the date by which the action must be taken. If the holder of the assignment fails to take corrective action within the time required, the Board shall notify the holder that the assignment is suspended or revoked upon receipt of the notice.

SECTION 02.03.100

MUTUAL AID

All Ambulance Service Providers assigned an ASA in Coos County will be required to sign a Mutual Aid agreement with the other providers and respond with needed personnel and

equipment to those providers requesting assistance. All requests for Mutual aid may be made through the appropriate 9-1-1 PSAP. The Mutual Aid Agreements shall be substantially in the form set forth in Appendix I - One.

SECTION 02.03.110

OTHER COORDINATION ISSUES

1. DISASTER RESPONSE PLAN/MASS CASUALTY INCIDENTS:

A. PURPOSE:

Provide guidance to EMS Response personnel in the coordination of response activities relating to mass casualty incidents and incidents of terrorism within Coos County.

B. IMPLEMENTATION:

This plan shall be implemented whenever an Emergency Ambulance Service Provider's resources are unable to handle the incident or at the request of the County Health Officer or Coos County Emergency Management.

C. COORDINATION (Incident Command System)

a. The process of moving the responsibility for incident command from one incident commander to another is called transfer of command. Transfer of command may take place when:

- A more qualified incident commander arrives and assumes command.
- A jurisdiction or agency is legally required to take command.
- The incident changes in complexity.

The transfer of command process always includes a transfer of command briefing, which may be oral, written, or a combination of both.

b. The Senior EMT at the Scene will have overall responsibility for patient care; he/she will work closely with the Incident-Commander.

c. The On-Scene Command Frequency and staging area will be determined by the Incident-Commander.

d. The Dispatch Center will advise responding units.

D. RESPONSE GUIDELINES:

a. EMS unit first on scene

1. Assess nature and severity of incident.
2. Advise appropriate 9-1-1 PSAP of situation.
3. Request appropriate fire and or police services.
4. Request initiation of EMS mutual aid if needed.

b. Initial EMS Responders upon call-out

1. Check in with Incident Commander.
2. Effect needed rescue, if trained and equipped to do so.
3. Establish triage area, teams, & system.
4. Establish and organize transportation of all injured, ill, or evacuated.
5. Alert area hospitals of situation
6. Monitor and reassess situation periodically considering;
  - a. Weather
  - b. Topography
  - c. Exposures
  - d. Life hazards
  - e. Fire hazards

E. EMS Refresher training includes Hazmat Awareness, as well as Terrorism Awareness and Response.

2. PERSONNEL AND EQUIPMENT RESOURCES:

These resources will be coordinated though the County Emergency Management Division or the Coos County 9-1-1 PSAP or other central dispatch agency.

A. HAZARDOUS MATERIALS

- a. Douglas/Coos HAZMAT Team will respond to Hazmat incidents through local dispatch.
- b. O.E.R.S. provides notification and activation of State agencies  
800-452-0311 (DEQ)
- c. Environmental Services provides services for oil spill containment and clean-up 24 hours a day.  
541-266-0511 (Koos Environmental Services)
- d. U.S. Coast Guard for response in Bay and most navigable waters  
541-756-9210

- e. Radiologic Response Team - Notification to O.E.R.S will activated appropriate state or local agencies.  
800-452-0311
- f. All of the above agencies can be notified by the 9-1-1 PSAP.

B. SEARCH AND RESCUE

- a. Coos County Sheriff's Office/Search & Rescue, Inc.  
541-396-2106
- b. Oregon Civil Air Patrol  
800-452-0311 OERS
- c. U.S. Coast Guard  
541-756-9210
- d. All of the above agencies can be notified by the 9-1-1 PSAP.

C. SPECIALIZED RESCUE

- a. U.S. Coast Guard  
541-756-9210
- b. Coos Sheriff's Emergency Rescue Team  
541-396-2106
- c. Reach Air Medical Services  
1-800-338-4045
- d. All of the following agencies can be contacted through the 9-1-1 PSAP:  
High Angle Rescue Team  
Rope Rescue Team  
Water Rescue  
North Bay Confined Space Rescue Team  
Lakeside Fire Department Dive Team.

D. EXTRICATION

All fire departments and RFDs have extrication equipment or mutual aid capabilities for such equipment and can be accessed through 9-1-1 PSAP or central dispatch agency.

E. DUNES RESCUE

- a. Lower Umpqua Hospital 541-271-2100
- b. Hauser RFPD Coos County Dispatch  
541-396-2106

3. EMERGENCY COMMUNICATIONS AND SYSTEM ACCESS:

A. Coos County is served by two 9-1-1 Public Safety Answering Points (PSAP). All 9-1-1 calls received throughout the county are received through the Coos County Dispatch Center in Coquille, except for calls in the City of Coos Bay, which are received by the Coos Bay Police Department. There are other secondary PSAPs within the county.

B. EMS Dispatch procedures differ from service area to service area. All emergency EMS calls shall come through the PSAP first and then are processed as follows:

ASA-1: Bay Cities Ambulance dispatch is staffed twenty-four hours a day. Their calls are transferred to them by either the 9-1-1 Coos County Dispatch Center or Coos Bay Police Department. Units are dispatched from their office.

ASA-2: Coquille Ambulance service is dispatched by Coos Bay Police Department. All personnel have communication devices for the purpose of dispatch and communications.

ASA-3: Myrtle Point Ambulance is dispatched 24 hours a day by 9-1-1 Coos County Dispatch Center. All ambulance personnel have communication devices with capabilities for the purpose of dispatch and communication.

ASA-4: Bandon calls for Bay Cities Ambulance are received by the 9-1-1 Coos County Dispatch Center and transferred to Bay Cities Ambulance for dispatch.

ASA-5: Powers Ambulance has a volunteer staff who are paged directly from the 9-1-1 Coos County Dispatch Center.

ASA-6: Lower Umpqua Ambulance is staffed twenty-four hours a day and they also receive their calls from the 9-1-1 Coos County Dispatch Center. Reedsport Police Department will resend the information. Lower Umpqua will service northern Coos County.

C. All dispatch centers, Coos County 9-1-1 PSAP, Coos Bay Police Department, and Bay Cities Ambulance provide Emergency Medical Dispatch.

D. Ambulance Notification Procedures

- a. Ambulance responders will be notified by dispatch centers or PSAPs (tap-out) by radio or telephone within two minutes of receipt of life threatening call.
- b. The communication/dispatch personnel will obtain from the caller and relay to responders the following information:
  1. Location of emergency
  2. Nature of incident
  3. Any specific instructions or information that may be pertinent to incident. (i.e. additional agencies, hazards, treatment in progress, etc.)

E. Emergency Radio Communications Systems Standards

- a. Dispatch/Communication Centers and/or PSAPs
  1. Communications Centers shall be restricted to authorized personnel only.
  2. Communications Centers shall meet State Fire Marshall standards and any future State or County standards.
  3. Radio Consoles shall have the capability to communicate on frequency 155.340 KHZ.
  4. Ambulances as the HEAR frequency.
    - a. All ambulances shall be equipped with an 80 watt, or greater, multi-channel mobile radio.
    - b. Each ambulance crew shall have at least one five (5) watt, portable hand-held radio with a minimum of two (2) channel capability.
    - c. Each of the above pieces of equipment will have the frequency 155.340 installed.
    - d. It is recommended that each ambulance have cellular or mobile phone capability.
  5. Radio Communications Procedures
    - a. Ambulance responders shall inform the dispatch center of any changes in status by radio. Plain English or 12-Code will be used. Changes in status include:
      1. In service
      2. Enroute to scene or destination and type of response
      3. Arrival at scene or

- destination
      - 4. Transporting patient(s) to hospital or medical facility.  
The number of patients, types of response, and name of facility will be given.
    - b. Ambulance responders shall inform the receiving hospital of the following:
      - 1. Unit radio number
      - 2. Age and sex of patient(s)
      - 3. Condition and chief complaint of patient(s)
      - 4. Vital signs of patient(s)
      - 5. Treatment rendered at scene
      - 6. Estimated time of arrival
- F. EMS Communication/Dispatcher Personnel Training Standards
- a. All Communications/Dispatch personnel assigned to a Center or PSAP will successfully complete the Emergency Medical Dispatch Program that meets the standards of the Department of Public Safety Standards and Training.
  - b. All Communications/Dispatch personnel will meet all standards that may be adopted by the State or County in the future.
  - c. Communications/Dispatch personnel will be encouraged to attend any course, conference, or workshop that directly relates to their work and will enhance their skills.
  - d. Communications/Dispatch personnel will obtain refresher training as required by the Department of Public Safety Standards and Training.
  - e. All Communications/Dispatch personnel will not work alone in a Communications and/or a 9-1-1 center until they have successfully completed the State approved Emergency Medical Dispatch course. All new employees will successfully complete the Emergency Medical Dispatch course within 12 months of hire date.
- G. All emergency calls received from the public on any ambulance service provider's regular business line must be immediately routed to the PSAP. A secondary PSAP may dispatch an ambulance and then notify the primary PSAP for coordination of other emergency responder agencies.



SECTION 02.03.120

PROVIDER SELECTION

1. No person shall provide ambulance service in Coos County unless an Ambulance Service Area has been assigned to that person as an Emergency Ambulance Service Provider or a Non-Emergency Ambulance Service Provider, pursuant to this section.
2. Any person desiring to provide ambulance service within Coos County, including but not limited to 9-1-1 dispatch and emergency inter-facility transfers, and non-emergency services shall submit an application to be assigned one or more Ambulance Service Areas as an emergency and non-emergency Ambulance Service Provider.

An application for emergency ambulance service may be combined with an application to provide non-emergency Ambulance Service. The application shall be submitted to the Coos County Sheriff's office by set date and time. Then the applications will be forwarded to the Coos County Emergency Management Program Manager. The Coos County Emergency Management Program Manager will review the application for completeness and to ensure continuity of service, then the application shall be reviewed by the Coos County Emergency Medical Services Advisory Committee, who shall recommend the assignment of a single emergency and non-emergency Ambulance Service Provider per Ambulance Service Area to the Board of Commissioners. The assignment of Ambulance Service Areas shall be made by an Order of the Board of Commissioners upon approval.

3. An application required by subsection (2) or (3) of this section shall include the following information:
  - The name and address of the person applying for the assignment of an Ambulance Service Area.
  - The Ambulance Service Area the person desires to service and the location from which the services will be provided.
  - A list of vehicles to be used in providing ambulance services including year, make, and model and verification that each vehicle is a certified ambulance licensed by the State of Oregon Health Division or proof of the ability for such.
  - The person's plan for replacing medical supplies and equipment used by first responder agencies.
  - Furnish proof of current State of Oregon Health Division Emergency Medical Services & Systems

Ambulance Service License or proof of the ability to receive such.

- A list of personnel to be used in providing ambulance services and their current Emergency Medical Technician certificate number.
- Sufficient additional information to allow for the review of the application in light of the review criteria established by the Coos County Ambulance Service Plan.
- That the provider has, or will have, sufficient call volume within the assigned areas to remain solvent with the collection of user fees and other local revenue to operate in an effective and efficient manner.
- The following signed statement:  
  
"I will not refuse to provide ambulance service to, nor engage in any pre-sorting of patients that I am authorized to provide service to under the Coos County Ambulance Service Plan. I understand that any conduct in violation of this declaration may be grounds for immediate disciplinary action which may include revocation of an assignment to provide ambulance service and/or enforcement action under Article 11, Division 1 of the Coos County Code."
- All providers will submit documentation upon request to the County Emergency Management Program Manager that their staff and equipment meet State and Federal standards.
- Such additional information as deemed necessary by the Coos County Emergency Medical Services Advisory Committee or the Board of Commissioners.

4. Each application shall be reviewed for the applicant's conformity with the requirements of Oregon law for providing ambulance services, the specific criteria of the Coos County Ambulance Service Plan and the need for efficient and effective ambulance services within Coos County. In addition, the following issues shall be considered when assigning an ambulance service area:
  - A. How the proposed assignment will affect response time, quality, and level of service in the affected area, including the impact on the existing response system.
  - B. The call volume in the affected area.

- C. The financial effect of the proposed assignment on the ability of authorized ambulance service providers to provide service for the remaining areas of Coos County.
  - D. The effect of the proposed assignment on municipalities.
5. The assignment of Ambulance Service Areas shall be valid for a period of four (4) years subject to the provisions for suspension or revocation as set forth in Section 02.03.090.
  6. Except as provided in subsection (8) of this Section, applications for renewal or for a new assignment of an Ambulance Service Area will only be received for consideration between February 15<sup>th</sup> and May 15<sup>th</sup> of the year Ambulance Service Area assignments expire. Routine assignments will take effect on July 1 of that year. If May 15<sup>th</sup> falls on a Saturday, Sunday, or legal holiday, applications would be accepted the following Monday or the next business day in the office of Coos County Emergency Management Program Manager.
  7. In the event that a person assigned an Ambulance Service Area as an Emergency Ambulance Service Provider discontinues service before the expiration of the assignment, the Board of Commissioner shall set a time by which applications must be submitted for the reassignment of the Ambulance Service Area. The review of the application and assignment of the Ambulance Service Area shall be in accordance with this Section and the assignment shall be for the remainder of the term unless otherwise specified by the Board of Commissioners.
  8. Not less than fifteen (15) days prior to any date when the applications for the assignment of an Ambulance Service Area are due, the Coos County Emergency Management Coordinator shall provide notice of such application due date shall be posted in three (3) public places and published at least once in a newspaper of general circulation in Coos County.

SECTION 02.03.130

APPEAL

A person receiving a notice of the assignment, denial, suspension, revocation or contingent suspension or revocation of an Ambulance Service Area assignment may request a hearing before the Board of Commissioners by filing with the Board of Commissioner a written request for hearing within fourteen (14) days of the decision, setting forth the reasons for the hearing and the issues proposed to be reviewed. The filing of a hearing request shall stay the

action pending the hearing and final determination by the Board of Commissioners unless the Board of Commissioners makes a written finding that prompt implementation of the decision is required due to an immediate hazard to the public safety. The Board of Commissioners shall set a time and place for a hearing that shall be de novo on the record or a full de novo hearing, as determined by the Board. Within fourteen (14) days after the conclusion of the hearing, the Board shall affirm, reverse or modify its original decision.

SECTION 02.03.140

DUTIES OF AMBULANCE SERVICE PROVIDER

Upon assignment of an Ambulance Service Area in accordance with Section 02.03.120, an Ambulance Service Provider:

1. Shall conduct its operation in strict compliance with all applicable State and Federal laws and regulations and the terms of this Division.
2. Shall not fail or refuse to respond to an emergency or non-emergency call for service within their assigned Ambulance Service Area if an ambulance is available for service.
3. Shall not respond to a call for ambulance services located outside its assigned Ambulance Service Area except:
  - A. When a request for a specific ambulance service provider to provide non-ambulance service is made by the person calling (e.g. stretcher van or wheelchair van).
  - B. When the ambulance service provider assigned to the Ambulance Service Area is unavailable to respond or is unable to provide the necessary level of care and the provider is requested by the other provider or 9-1-1 dispatch to respond.
  - C. When the response is for supplemental assistance or mutual aid.
  - D. When there is an agreement between ambulance service providers and the agreement is approved by the supervising physician(s).
4. Shall not transfer the assignment of an Ambulance Service Area without written notice to and approval from the Board of Commissioners. The written notice shall include an application for assignment of the Ambulance Service Area submitted by the transferee. The application shall be reviewed in accordance with Section 02.03.120.

5. Shall not voluntarily discontinue service to an assigned Ambulance Service Area without giving ninety (90) days written notice to the Board of Commissioners.
6. Shall not attempt to influence in any way a transferring physician's determination of whether an inter-facility transfer meets the definition of emergency inter-facility transfer or non-emergency inter-facility transfer.
7. Except in response to a request for mutual aid assistance, shall not accept any transport under emergency conditions, unless the Ambulance Service Provider has been assigned an Ambulance Service Area as an Emergency Ambulance Service Provider.

SECTION 02.03.150

QUICK RESPONSE TEAM

1. Nothing in this Division prohibits a 9-1-1 agency responsible for the dispatching of emergency services from dispatching a Quick Response Team to the scene of a medical emergency in addition to dispatching an ambulance service provider. Such response shall only be in accordance with this section.
2. The Quick Response Team shall be a municipal corporation or a special district within Coos County that provides emergency services within its jurisdiction and requests to be dispatched to medical emergencies. An individual or group may, upon approval of the EMS Advisory Committee, also provide a Quick Response Team.
3. The Quick Response Team shall respond with Emergency Medical Technicians and/or First Responders that are certified by the State of Oregon and who are employed by or volunteer with the responder.
4. Upon arrival of the ambulance service provider at the location of the medical emergency, the ambulance service provider shall be in charge of, and responsible for, the continuation of emergency medical services. The Quick Response Team or others providing initial patient care shall continue to provide emergency medical services only at the direction of the ambulance service provider.
5. This subsection does not regulate a response by an Initial Responder such as a police officer or fire crew providing first aid pursuant to laws and regulations applicable to such services prior to arrival of the ambulance.

SECTION 02.03.160

SANCTIONS FOR NON COMPLIANT  
PERSONNEL OR PROVIDERS

1. Violations of this Division are enforceable under Article Eleven, Division One, of the Coos County Code.
2. Violations of this Division by an ambulance service provider or other entity referred to in this ASA plan may be referred to Coos County Code Compliance Officer/Sheriff's Office for investigation and enforcement.
3. Non-compliant personnel issues will be referred to the ambulance service provider's Supervising Physician for review. Uncorrected issues will be referred to the State Health Division EMS section for enforcement.

SECTION 02.03.170

PLAN REVIEW/AMENDMENTS

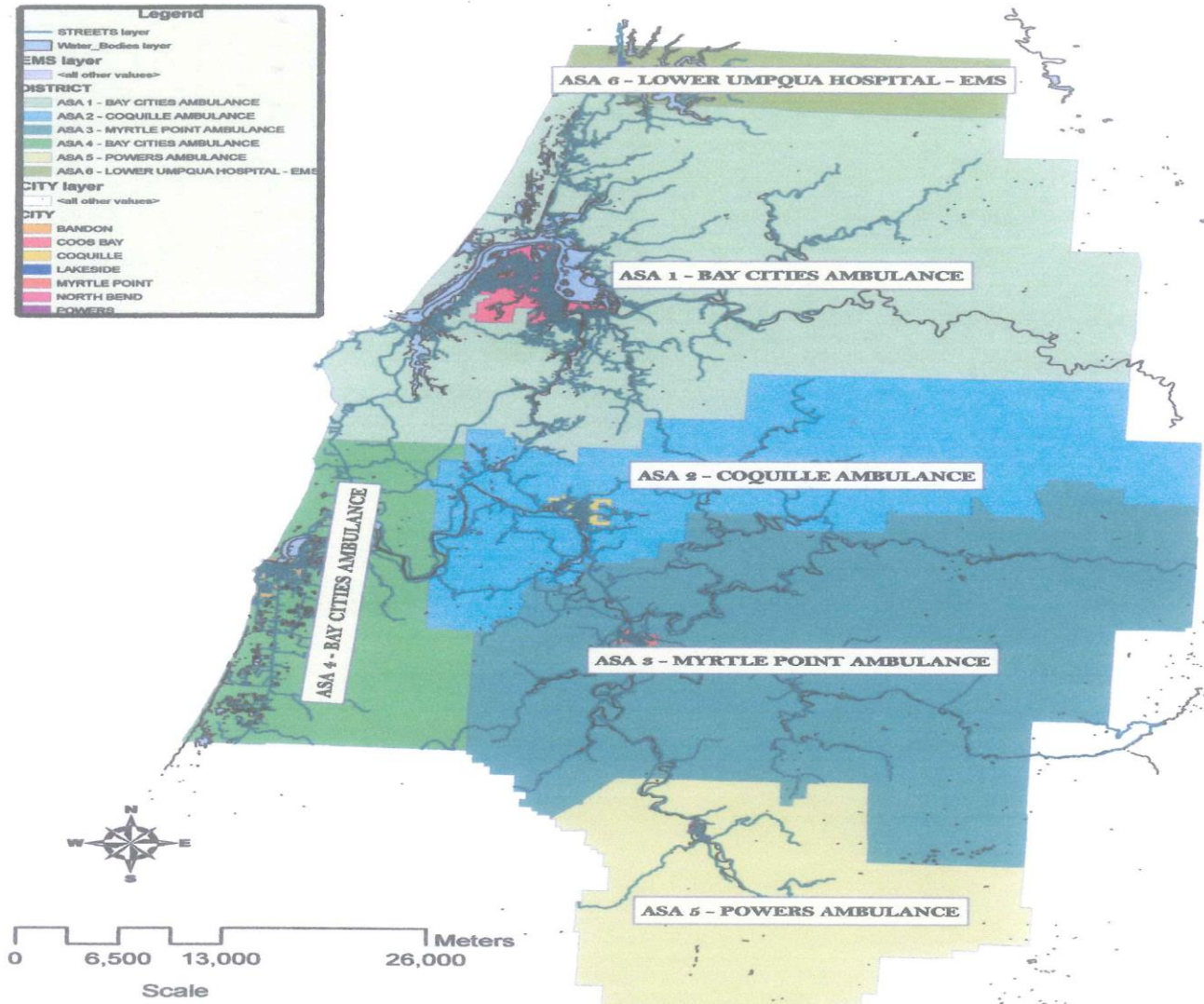
1. The Ambulance Service Area Plan shall be reviewed at the regular meeting each September, and submitted to the Division no less than once every five (5) years to ensure compliance with the statutes and administrative rules pertaining to county ambulance service area plans.
2. The county is required to amend this plan, if necessary to comply with any amendments made in ORS chapter 682 or OAR Chapter 333, division 250, 255, 260 or 265. Any time the county plan is amended, the county must submit a copy of the amended plan to the Division.

[Article Two, Division Three was extensively revised by Ordinance 15-04-002L, effective July 20, 2015]

APPENDIX I - One

This appendix is a map of the ASA response zones.

### Coos County Ambulance Districts



**AMBULANCE MUTUAL-AID AGREEMENT**

THIS AGREEMENT is made and entered into by and between the undersigned, hereinafter referred to as Parties, all of which provide Emergency Medical Services within assigned Ambulance Service Areas in Coos County, Oregon.

WHEREAS, the Parties maintain and operate Emergency Medical Services in Coos County for the purpose of providing necessary lifesaving services and emergency transport for persons within their respective Ambulance Service Area (ASA); and

WHEREAS, the Parties recognize that numerous requests for medical assistance or disaster conditions could result in a temporary lack of resources preventing the effective and efficient provision of Emergency Medical Services; and

WHEREAS, it is to the mutual benefit of all parties to enter into this mutual aid agreement;

NOW, THEREFORE, it is agreed as follows:

1. In the event that circumstances within a Party's ASA are such that the Party cannot provide effective and efficient Emergency Medical Services, that Party may request assistance from one or more of the other Parties to this agreement. Assistance will be requested by the requesting Party's senior medical person on duty through the appropriate 9-1-1 center.

2. Upon receipt of a request for aid, the Party to whom the request is made may respond in a manner which it deems appropriate. If an agency receives more than one request for aid, then the responding Party shall determine, in its sole discretion, whether to respond to one, more than one, or to none of the requests. Responses under this agreement are voluntary and discretionary, and any response or failure to respond shall not give rise to any claim by the requesting Party, any other Party to this agreement, or anyone not a party to this agreement.

3. All Parties will maintain radio communications capabilities compatible with the other Parties to facilitate communications when mutual aid is requested.

4. This agreement shall constitute the sole consideration for the performance hereof and no Party shall be obligated to reimburse any other Party for use of equipment or manpower. During the course of rendering aid, the manpower and equipment of each Party shall be at the risk of that Party. Each Party hereto shall cover its personnel with adequate workers' compensation insurance. Each Party



shall obtain and maintain in full force and effect adequate public liability and property damage insurance to cover claims arising from that Party's performance pursuant to this agreement. Each Party shall waive all subrogation right against each other and against the agents and employees of each other unless to do so would void insurance coverage. Nothing in this paragraph is intended to prevent claims for benefits by emergency service workers or other employees or volunteers as authorized by ORS Chapter 401 or any other law.

5. This agreement shall be and remain in full force and effect from the date of execution set out opposite the signature of each Party until terminated or modified. This agreement may be modified at any time by mutual consent of the Parties.

6. This agreement shall not be construed to prevent any of the Parties from seeking reimbursement for personnel, materials, equipment, or other expenses if otherwise authorized by law or if a state or federal officer or agency requests or orders emergency service by a participating unit or units of local government.

IN WITNESS WHEREOF the Parties hereto have caused this agreement to be executed on the day and year set out opposite each signature, said execution having been first authorized in accordance with law.

\_\_\_\_\_  
Representative, ASA #1

Dated:

\_\_\_\_\_  
Representative, ASA #2

Dated:

\_\_\_\_\_  
Representative, ASA #3

Dated:

\_\_\_\_\_  
Representative, ASA #4

Dated:

\_\_\_\_\_  
Representative, ASA #5

Dated:

\_\_\_\_\_  
Representative, ASA#6

Dated:

DIVISION FOUR - SECONDHAND MERCHANTS BUSINESS LICENSES

SECTION 02.04.010                    RESERVED

SECTION 02.04.020                    RESERVED

SECTION 02.04.030                    PURPOSE

The purpose of this Division is to provide strict regulation of certain types of businesses that the Board of Commissioners finds present an extraordinary risk of being used as a means of concealing criminal behavior involving the theft of property. This risk is present despite the best efforts of legitimate dealers because of the large volume of goods and materials that are processed in such businesses. Therefore, this Division is intended to reduce this type of criminal activity by providing more timely police awareness of such business transactions. The Board of Commissioners finds that the regulations provided herein are necessary, and the need for the regulations outweighs any anticompetitive effect that may result from their adoption.

SECTION 02.04.040                    DEFINITIONS

As used in this Division, unless the context otherwise requires:

- (1) "Antique" means any item of property that is possessed or valued because of its character, craft, style, rarity, and association with an earlier period of time. As herein defined, "antique" does not include vehicles and components.
- (2) "Antique Dealer" means any person, engaged in, conducting, managing, or carrying on an established business of purchasing antiques, from any person, not representing an established business, who appears with such article at the dealer's place of business.
- (3) "Established business" means a commercial enterprise which has an element of fixity and permanence as may be demonstrated by, but is not limited to, the following factors: the filing of Articles of Incorporation, Partnership or an Assumed Business Name with the Oregon Corporation Commissioner, fixed business location, advertising, business cards, or other such factors.
- (4) "Person" means any real person, partnership, association or corporation.
- (5) "Precious Metal or Gem" means any metal or stone that is valued for its character, rarity, beauty or quality, including gold, silver, platinum,

diamonds, rubies, emeralds, sapphires and pearls, and any other such stones, whether as a separate item or in combination as a piece of jewelry; but excluding United States and Canadian coins and currency used as legal tender at face value for ordinary business transactions.

- (6) "Precious Metal and Gem Dealer" means any person, engaged in, conducting, managing or carrying on an established business involving the purchasing of precious metals or gems from any person, not representing an established business, who appears with such article at the dealer's place of business.
- (7) "Purchase" means to transfer property from a person to any dealer regulated by this Division, for any valuable consideration. Purchase does not include a consignment of property for sale.
- (8) "Scrap Metal" means the following used, wornout, or discarded non-ferrous metals: copper, brass, nickel, lead, aluminum, titanium, zirconium, tungsten and zinc, and does not include items that contain both ferrous and non-ferrous metals.
- (9) "Scrap Metal Dealer" means any person, engaged in, conducting, managing or carrying on an established business involving the purchasing of scrap metals from any person, not representing an established business, who appears with such article at the dealer's place of business.
- (10) "Secondhand Dealer" means any person, engaged in, conducting, managing or carrying on a business that purchases used: (a) televisions; (b) hi-fi's, stereos, radios, tape recorders/players; (c) amplifiers, video recording equipment and accessories; (d) cameras, projectors and accessories; (e) tools; (f) office equipment including typewriters, calculators, recorders, transcribers and computers; (g) knives, guns and related equipment; (h) sewing machines; (i) jewelry; (j) clocks and watches; (k) silverware or tableware; (l) air conditioners; (m) electronic testing, regulating and repair equipment; (n) citizen's band and walkie-talkie equipment; (o) microwave ovens; (p) telephones; (q) and items of a similar nature, but excluding scrap metals, from any person, not representing an established business, who appears with such article at the dealer's place of business.

SECTION 02.04.050

LICENSES REQUIRED

From and after the effective date of this it shall be unlawful for any person to operate or assist in the operation of, or to become financially interested in the operation of any business as an antique dealer, precious metal or gem

dealer, scrap metal dealer or secondhand dealer in the unincorporated area of Coos County, Oregon without having a valid license issued by Coos County and in any manner inconsistent with the rules and regulations contained in this Division.

SECTION 02.04.060

LICENSE INVESTIGATION

Any person applying for a license under the terms of this Division must file a sworn written application with the Coos County Sheriff on a form provided by the Sheriff which - application shall include, among other things, the true names, addresses, telephone numbers, dates of birth, business experience and past criminal records, if any, of all persons who have any financial interest in the business. The term "person financially interested" shall include all persons, and their spouses, who share in the profits of the business, on the basis of gross or net revenue, or are employed by the business. The term shall include owners, operators, managers and employees of the business. If the business is a corporation, the term shall include its directors, officers, registered agent and any stockholder holding more than ten (10) percent of the stock thereof. If the business is a partnership, the term shall include all partners of the business. The term may also include landlords, lessors, lessees and the owner or owners of the building, fixtures or equipment of the business or activity if they share in the profits of the business. The application shall be accompanied with a one hundred (\$100.00) dollars non-refundable investigation fee. The Sheriff shall then conduct a background investigation based on the foregoing information.

SECTION 02.04.070

GRANTING OR DENIAL OF LICENSE

Within thirty (30) days after receiving completed application and non-refundable investigation fee, the Sheriff shall consider the results of the background investigation and determine whether or not to issue the license. The license shall be granted unless it appears that:

- (1) Any person who has a financial interest in the business has been previously convicted of a felony or misdemeanor involving fraud, deception or theft within the last five (5) years;
- (2) Any person who has a financial interest in the business has been convicted of five (5) other misdemeanors, the last of which was within five (5) years;
- (3) Any false or misleading information is supplied in the application or any information requested is omitted from the application;
- (4) Any person with a financial interest in the business has violated any section of this Division, Division Five of this Article or former

Coos County Ordinance No. 5 regulating Second Hand Stores; or

- (5) Any other conduct involving dishonesty or moral turpitude has been committed by any person who has a financial interest in the business within the last five (5) years and which in the discretion of the Sheriff, creates a serious risk of criminal activity in the operation of the business.

The Sheriff may, in the Sheriff's discretion, grant the license despite the existence of any of the factors listed above if the Sheriff is satisfied that the applicant would operate the business in accordance with the law and the terms of this Division. If the license is denied by the Sheriff, the applicant may appeal the denial to the Board of Commissioners according to the procedures set out in Section 02.04.120. The notice of denial of a license shall be in writing and shall state which of the grounds listed above is the basis of the denial. The notice shall also inform the applicant of the right of and procedures for appeal as stated in Section 02.04.120.

SECTION 02.04.080

TERM

Licenses granted under this Division shall be issued on a calendar year basis which shall expire on December 31 of the year for which they are issued. There shall be a yearly license fee in the amount of one hundred twenty (\$120.00) dollars which shall be non-refundable, except that ten (\$10.00) dollars per month for each complete calendar month which has expired prior to issuance of the license may be deducted from the license fee for the first year in which the license is issued. The license then may be renewed on a yearly basis on payment of the one hundred twenty (\$120.00) dollar license fee not later than December 31 of the prior year. The fee shall be paid to and the license shall be issued by Coos County Clerk after approval by the Coos County Sheriff or the Board of Commissioners.

SECTION 02.04.090

RESPONSIBILITY OF LICENSEE

No licensee and no licensee's employee shall permit any person to engage in unlawful activity in or upon any licensed premises. The licensee shall be held responsible for the conduct of any employee with regard to any unlawful activity conducted in or upon licensed premises.

SECTION 02.04.100

LICENSE NOT TRANSFERABLE

No license issued under this Division shall be assignable or transferable. Notice of any change of persons having a financial interest in a licensed business, accompanied with

the information required below, shall be reported immediately to the Sheriff who shall conduct an investigation. If any of the circumstances listed in Section 02.04.070 exist, the Sheriff shall immediately suspend the license of the business pursuant to the procedures stated in Section 02.04.110.

SECTION 02.04.110

SUSPENSION OF LICENSE

The Sheriff shall temporarily and immediately suspend any license issued under this division if it appears that any of the grounds listed in Section 02.04.070 exist. Temporary suspensions shall be for thirty (30) days beginning the date notice is served as provided by Section 02.04.200 or such later date as is specified in the notice. Temporary suspensions are subject to the right of appeal as provided in Section 02.04.120. The notice of suspension shall be in writing and shall state which of the grounds listed above is the basis for the suspension. The notice shall also inform the licensee of the right of and procedures for appeal as stated in Section 02.04.120.

SECTION 02.04.120

APPEALS

A written notice of appeal from denial of a license or from a temporary suspension shall be served within ten (10) days of such denial or suspension, accompanied with a fifty (\$50.00) dollar non-refundable appeal fee, on the Board of Commissioners. Upon appeal, a hearing shall be granted as for permanent revocation proceedings, except that the hearing shall be held within ten (10) days of the date of service of the notice and only five (5) days advance notice of the hearing need be given.

SECTION 02.04.130

REVOCAATION PROCEEDING

Proceedings for a permanent revocation of a license granted under this Division may be initiated by the Sheriff or by other complaining parties. Permanent revocation may be made only by the Board of Commissioners and such revocation shall only take place after an evidentiary hearing before the Board of Commissioners and only after the licensee has been served with notice at least fifteen (15) days prior to the Board of Commissioners hearing. Such notice shall include the time and date of the hearing and which of the grounds listed above is the basis for the revocation proceeding. Notice shall be deemed effective when served according to the procedures in Section 02.04.200. The licensee shall have the opportunity to be heard, may be represented by counsel at the licensee's own expense and the burden shall be upon the Sheriff or other complaining parties to justify revocation. A decision by the Board of Commissioners shall be based upon evidence in the record and the hearing shall be handled in a quasi-judicial manner, except that formal rules of evidence and procedures shall not apply. The final order shall include written findings and conclusions giving the reasons for the decision made. The Board may or may not permanently revoke the license, temporarily suspend it or render such other relief as is appropriate and equitable depending on the facts. Any decision made by the Board of Commissioners is subject to the Writ of Review process outlined in ORS 34.010 to 34.100.

SECTION 02.04.140

PURCHASE RECORD

- (1) All antique dealers, precious metal and gem dealers and secondhand dealers shall, at the time of purchasing any article in the business for which he or she is regulated by this Division from any person, not representing an established business, who appears with such article at the dealer's place of business, make a record of such purchase in a permanent bound book which shall be open to inspection by law enforcement officials pursuant to Section 02.04.170. The purchase record book shall, at a minimum, contain the following information:
  - (a) The name and address of the seller and person bringing in the property;
  - (b) The date and time of the transaction;
  - (c) The serial number, if any, and description of the property brought in for sale or trade;
  - (d) The type of identification presented and identification number, if any;
  - (e) The signature of the person bringing in the property;
  - (f) The name of the dealer or dealer's agent who bought the property; and
  - (g) The identification number of the tag attached

- to the article pursuant to Section 02.04.160.
- (2) The book shall be filled out in clearly legible printing. No property regulated pursuant to this Division shall be purchased unless and until the seller has presented proper and reliable identification. For high risk property, as defined in Section 02.04.150(1), forms supplied by the Sheriff containing the same information as contained in the purchase record book shall be completed in a legible fashion and mailed to the Sheriff by the close of the business day the high risk property is purchased.
  - (3) In lieu of the purchase record book required by this section, scrap metal dealers are required, for the purposes of this Division, to keep the metal purchase records required by ORS 165.107. Such metal purchase records shall be completed in a legible fashion and shall be kept for metals covered by this Division even if not covered by state law.
  - (4) Since the information that is required to be furnished pursuant to this Section is to aid in the investigation of the theft of property and is of a confidential nature and related to the personal privacy of persons doing business with such dealers, as well as certain trade secrets and practices of such dealers, such information shall be considered to be confidential and privileged from disclosure to the maximum extent possible under applicable laws. The purchase record book or metal purchase records kept pursuant to this Section shall be retained for a period of not less than one (1) year.

SECTION 02.04.150

PROPERTY SALES

- (1) As used in this Section, the term "high risk property" means any one of the following:
  - (a) televisions;
  - (b) hi-fi's, stereos, radios, tape recorders/players;
  - (c) amplifiers, video recording equipment and accessories;
  - (d) cameras, projectors and accessories;
  - (e) tools purchased for over \$5.00;
  - (f) office equipment including typewriters, desktop calculators, dictation recorders, transcribers and computers;
  - (g) knives, guns and related equipment;
  - (h) sewing machines;
  - (i) jewelry;
  - (j) clocks and watches;
  - (k) silverware or tableware;
  - (l) air conditioners;



- (m) electronic testing, regulating and repair equipment;
  - (n) citizen's band and walkie-talkie equipment;
  - (o) microwave ovens;
  - (p) telephones;
  - (q) precious metals or gems; and
  - (r) any other articles purchased for over ten (\$10.00) dollars, excluding scrap metal.
- (2) No high risk property purchased by any antique dealer, precious metal and gem dealer, scrap metal dealer or secondhand dealer, as regulated by this Division, shall be sold for a space of ten (10) full days after purchase. Such property shall be maintained in substantially the same form as purchased and shall not be altered in any manner so as to preclude identification during this ten (10) day holding period. Notwithstanding this requirement, the Sheriff or the Sheriff's designee, may authorize, in cases in which it is shown that extreme financial hardship will result from holding an item for the ten (10) day period, the sale or transfer of such item before the expiration of this period.
- (3) Whenever the Sheriff, or the Sheriff's designee, upon reasonable belief that the specific property is the subject of theft, notifies in writing, any antique dealer, precious metal and gem dealer, scrap metal dealer or secondhand dealer not to dispose of any specifically described property or high risk property he or she purchased, the property shall be retained in substantially the same form and shall not be sold, exchanged, dismantled, or otherwise disposed of for a period of time, not to exceed thirty (30) days, as determined by the Sheriff or the Sheriff's designee.

SECTION 02.04.160

ARTICLE TO BE TAGGED

Except for scrap metal dealers purchasing scrap metal, any antique dealer, precious metal and gem dealer, scrap metal dealer, or secondhand dealer purchasing any article in the business for which he or she is regulated by this Division from any person, not representing an established business, who appears with such article at the dealer's place of business, shall affix to the article a tag upon which shall be written a number in legible characters, which number shall correspond to the number in the purchase record book required to be kept by Section 02.04.140.

SECTION 02.04.170

INSPECTION OF ARTICLES AND RECORDS

All persons licensed to do business as an antique dealer, precious metal and gem dealer, scrap metal dealer or secondhand dealer, and any person employed by such dealer, shall, by applying for a license under this Division, be deemed to have consented to, and shall permit the Sheriff, or the Sheriff's designee, upon presentation of official identification, entry to such business premises for the limited purpose of inspecting any article purchased in the business as regulated by this Division and currently being held pursuant to Section 02.04.150, and/or the records incident thereto, to ensure compliance with the provisions of this Division. Any such inspection shall only be authorized during normal business hours.

SECTION 02.04.180

LICENSE TO BE CONSPICUOUSLY POSTED

Every person licensed to do business as an antique dealer, precious metal and gem dealer, scrap metal dealer or secondhand dealer shall have and keep conspicuously posted near the entrance to the place of business, or in an equally conspicuous place, the license required by this Division. Further, if the license is suspended or revoked under the procedures of this Division, said dealer shall immediately surrender such license upon demand to the Sheriff, or the Sheriff's designee.

SECTION 02.04.190

RESERVED

SECTION 02.04.200

NOTICES

All notices required to be served under this Division shall be in writing, may be delivered personally or by mail, and shall be deemed effective when received except those notices which are mailed by certified or registered mail, return receipt requested, may, in the absence of other proof, be deemed served on the day after the date of mailing as shown by proof from the post office of such mailing date. It shall be the duty of any licensee under this Division to keep the Sheriff informed of the licensee's business address. Any notice served by the Sheriff or Board of Commissioners by certified or registered mail, return receipt requested, to such address shall be effective notwithstanding the failure of the licensee to receive such notice.

DIVISION FIVE - TRANSIENT MERCHANTS BUSINESS LICENSES

SECTION 02.05.010                      RESERVED

SECTION 02.05.020                      RESERVED

SECTION 02.05.030                      PURPOSE

The purpose of this Division is to provide strict regulation of certain types of businesses that the Board of Commissioners finds present an extraordinary risk of being used as a means of concealing criminal behavior involving the theft of property. This risk is present despite the best efforts of legitimate dealers because of the large volume of goods and materials that are processed in such businesses. Therefore, this Division is intended to reduce this type of criminal activity by providing more timely police awareness of such business transactions. The Board of Commissioners finds that the regulations provided herein are necessary, and the need for the regulations outweighs any anticompetitive effect that may result from their adoption.

SECTION 02.05.040                      DEFINITIONS

As used in this Division, unless the context otherwise requires:

- (1) "Established business" means a commercial enterprise which has an element of fixity and permanence as may be demonstrated by, but is not limited to, the following factors: the filing of Articles of Incorporation, Partnership or an Assumed Business Name with the Oregon Corporation Commissioner, fixed business location, advertising, business cards, or other such factors.
- (2) "Person" means any real person, partnership, association or corporation.
- (3) "Precious Metal or Gem" means any metal or stone that is valued for its character, rarity, beauty or quality, including gold, silver, platinum, diamonds, rubies, emeralds, sapphires and pearls, and any other such stones, whether as a separate item or in combination as a piece of jewelry; but excluding United States and Canadian coins and currency used as legal tender at face value for ordinary business transactions.
- (4) "Purchase" means to transfer property from a person to any dealer regulated by this Division, for any valuable consideration. Purchase does not include a consignment of property for sale.
- (5) "Transient Merchant" means every person; partnership, association or corporation engaged in or

participating in the unincorporated area of Coos County, in the temporary business of purchasing any precious metal or gem from any person not representing an established business.

SECTION 02.05.050

PERMITS REQUIRED

From and after the effective date of this it shall be unlawful for any person to operate or assist in the operation of, or to become financially interested in the operation of any business as a transient merchant in the unincorporated area of Coos County, Oregon without having a valid permit issued by Coos County and in any manner inconsistent with the rules and regulations contained in this Division.

SECTION 02.05.060

PERMIT INVESTIGATION

Any person applying for a permit under the terms of this Division must file a sworn written application with the Coos County Sheriff on a form provided by the Sheriff which application shall include, among other things, the true names, addresses, telephone numbers, dates of birth, business experience and past criminal records, if any, of all persons who have any financial interest in the business. The term "person financially interested" shall include all persons, and their spouses, who share in the profits of the business, on the basis of gross or net revenue, or are employed by the business. The term shall include owners, operators, managers and employees of the business. If the business is a corporation, the term shall include its directors, officers, registered agent and any stockholder holding more than ten (10) percent of the stock thereof. If the business is a partnership, the term shall include all partners of the business. The term may also include landlords, lessors, lessees and the owner or owners of the building, fixtures or equipment of the business or activity if they share in the profits of the business. The application shall be accompanied by the fingerprints and photographs of all persons financially interested in the business, including employees, who will actually operate, or assist in the operation of the business while in the unincorporated areas of Coos County. The application shall also be accompanied with a non-refundable investigation fee as determined by the Board pursuant to Article Nine, Division One of the Coos County Code. The Sheriff shall then conduct a background investigation based on the foregoing information. [91-06-007L]

SECTION 02.05.070

GRANTING OR DENIAL OF PERMIT

Within ten (10) days after receiving completed application and non-refundable investigation fee, the Sheriff shall

consider the results of the background investigation and determine whether or not to issue the permit. The permit shall be granted unless it appears that:

- (1) Any person who has a financial interest in the business has been previously convicted of a felony or misdemeanor involving fraud, deception or theft within the last five (5) years;
- (2) Any person who has a financial interest in the business has been convicted of five (5) other misdemeanors, the last of which was within five (5) years;
- (3) Any false or misleading information is supplied in the application or any information requested is omitted from the application;
- (4) Any person with a financial interest in the business has violated any section of this Division, Division Four of this Article or former Coos County Ordinance No. 5 regulating Second Hand Stores; or
- (5) Any other conduct involving dishonesty or moral turpitude has been committed by any person who has a financial interest in the business within the last five (5) years and which in the discretion of the Sheriff, creates a serious risk of criminal activity in the operation of the business.

The Sheriff may, in the Sheriff's discretion, grant the permit despite the existence of any of the factors above if the Sheriff is satisfied that the applicant would operate the business in accordance with the law and the terms of this Division. If the permit is denied by the Sheriff, the applicant may appeal the denial to the Board of Commissioners according to the procedures set out in Section 02.05.120. The notice of denial of a permit shall be in writing and shall state which of the grounds listed above is the basis of the denial. The notice shall also inform the applicant of the right of and procedures for appeal as stated in Section 02.05.120.

SECTION 02.05.080

TERM

Permits granted under this Division shall be issued on a monthly basis which shall expire thirty (30) days after they are issued. There shall be a monthly permit fee in the amount of fifty (\$50.00) dollars which shall be non-refundable. The fee shall be paid to and the permit shall be issued by Coos County Clerk after approval by the Coos County Sheriff or the Board of Commissioners.

SECTION 02.05.090

RESPONSIBILITY OF PERMITTEE

No permittee and no permittee's employee shall permit any person to engage in unlawful activity in the conduct of

permittee's business. The permittee shall be held responsible for the conduct of any employee with regard to any unlawful activity conducted in the permittee's business.

SECTION 02.05.100

PERMIT NOT TRANSFERABLE

No permit issued under this Division shall be assignable or transferable. Notice of any change of persons having a financial interest in a permittee's business, accompanied with the information required below, shall be reported immediately to the Sheriff who shall conduct an investigation. If any of the circumstances listed in Section 02.05.070 exist, the Sheriff shall immediately suspend the permit of the business pursuant to the procedures stated in Section 02.05.110.

SECTION 02.05.110

SUSPENSION OF PERMIT

The Sheriff shall immediately suspend any permit issued under this Division if it appears that any of the grounds listed in Section 02.05.070 exist. Suspensions shall be effective beginning the date notice is served as provided by Section 02.05.210 or such later date as is specified in the notice. Suspensions are subject to the right of appeal as provided in Section 02.05.120. The notice of suspension shall be in writing and shall state which of the grounds listed above is the basis for the suspension. The notice shall also inform the permittee of the right of and procedures for appeal as stated in Section 02.05.120.

SECTION 02.05.120

APPEALS

A written notice of appeal from denial of a permit or from a suspension shall be served within ten (10) days of such denial or suspension, accompanied with a fifty (\$50.00) dollar non-refundable appeal fee, on the Board of Commissioners. Upon appeal, a hearing shall be held within ten (10) days of the date of service of the notice and five (5) days advance notice of the hearing must be given. The permittee shall have the opportunity to be heard, may be represented by counsel at the permittee's, own expense and the burden shall be upon the Sheriff or other complaining parties to justify suspension. A decision by the Board of Commissioners shall be based upon evidence in the record and the hearing shall be handled in a quasi-judicial manner, except that formal rules of evidence and procedure shall not apply. The final order shall include written findings and conclusions giving the reasons for the decision made. The Board may or may not ratify the suspension or render such other relief as is appropriate and equitable depending on the facts. Any decision made by the Board of Commissioners is subject to the Writ of Review process outlined in ORS 34.010

to 34.100.

SECTION 02.05.130

RECORD FORMS

- (1) All transient merchants shall, at the time of purchasing any article in the business for which he or she is regulated by this Division from any person, not representing an established business, who appears with such article at the dealer's place of business, place the description of the article purchased upon a form which shall be provided by the Coos County Sheriff's Department. In lieu of the use of forms supplied by the Coos County Sheriff's Department, the dealer may utilize the permittee's own forms if such forms have been approved by the Sheriff or the Sheriff's designee. The form provided for herein shall be of such size, shape and color and shall require such information relating to the purpose of this Division, as the Sheriff or the Sheriff's designee may direct. Such information shall include, at a minimum, the name and address of the seller and person bringing in the property, the date and time of the transaction, the serial number, if any, and description of the property brought in for sale or trade. The dealer shall fill in all of the blank spaces on such form with such data as is required by the form and require the person selling any article regulated by this Division to sign the seller's name on such form. Such form shall be filled out in clearly legible printing. Further, property regulated pursuant to this Division shall only be purchased by the dealer after the seller has presented proper and reliable identification, the nature of which and identification number, if any, shall be placed on the form. Since the information that is required to be furnished pursuant to this Section is to aid in the investigation of the theft of property and is of a confidential nature and related to the personal privacy of persons doing business with such dealers, as well as certain trade secrets and practices of such dealers, such information shall be considered to be confidential and privileged from disclosure to the maximum extent possible under applicable laws.
- (2) The dealer's copy of all such forms shall be retained for a period of not less than one (1) year.
- (3) Every person regulated by the provisions of this section shall mail or deliver to the Sheriff or the Sheriff's designee, at the close of each business day, all of such forms, or legible copies

thereof, describing articles purchased by during that business day.

SECTION 02.05.140

PROPERTY SALES

- (1) No property purchased by any transient merchant, as regulated by this Division, shall be sold for a space of ten (10) full days after purchase. Such property shall be maintained in substantially the same form as purchased and shall not be co-mingled so as to preclude identification during this ten (10) day holding period. All such property shall be kept, during this entire ten (10) day period, in a safe deposit box, or its equivalent, at a bank, savings and loan association or other financial institution approved by the Sheriff, or the Sheriff's designee, within Coos County. The expenses of such storage shall be borne by the merchant. Upon placement of such property in a safe deposit box, the transient merchant shall, at the close of the business day in which the items were so placed, mail or deliver to the Sheriff, or the Sheriff's designee, written notice of the locations where such items are being kept during this ten (10) day period. Notwithstanding this requirement, the Sheriff or the Sheriff's designee, may authorize, in cases in which it is shown that extreme financial hardship will result from holding an item for the ten (10) day period, the sale or transfer of such item before the expiration of this period.
- (2) Whenever the Sheriff, or the Sheriff's designee, upon reasonable belief that the specific property is the subject of theft, notifies in writing, any transient merchant not to dispose of any specifically described property purchased, the property shall be retained in substantially the same form and shall not be sold, exchanged, dismantled, or otherwise disposed of for a period of time, not to exceed thirty (30) days, as determined by the Sheriff or the Sheriff's designee.

SECTION 02.05.150

ARTICLE TO BE TAGGED

Any transient merchant purchasing any article in the business for which he or she is regulated by this Division from any person, not representing an established business, who appears with such article at the dealer's place of business, shall affix to the article a tag upon which shall be written a number in legible characters, which number shall correspond to the number on the record forms required to be kept by Section



02.05.130.

SECTION 02.05.160

INSPECTION OF ARTICLES AND RECORDS

All persons doing business as a transient merchant, and any person employed by such dealer, shall, by applying for a license under this Division, be deemed to have consented to, and shall permit the Sheriff, or the Sheriff's designee, upon presentation of official identification, entry to such business premises for the limited purpose of inspecting any article purchased in the business as regulated by this Division and currently being held pursuant to Section 02.05.140, and/or the records incident thereto, to ensure compliance with the provisions of this Division. Any such inspection shall only be authorized during normal business hours.

SECTION 02.05.170

PERMIT TO BE CONSPICUOUSLY POSTED

Every person doing business as a transient merchant shall have and keep conspicuously posted near the entrance to the place of business, or in an equally conspicuous place, the permit required by this Division. Further, if the permit is suspended under the procedures of this Division, said dealer shall immediately surrender such permit upon demand to the Sheriff, or the Sheriff's designee.

SECTION 02.05.180

SURETY BOND REQUIRED

No person shall engage in business as a transient merchant in the unincorporated areas of Coos County until such person has filed with the Coos County Treasurer a \$10,000.00 bond, with a surety company licensed to do business in the State of Oregon as surety, for the benefit of any person damaged by false, fraudulent or misleading representations of the transient merchant in the conduct of the business.

SECTION 02.05.190

ADVERTISING TO DISCLOSE PERMIT AND BOND

Every advertisement, notice, flier, commercial, pamphlet or other advertising device utilized to attract attention to the business, location, presence, or arrival in the unincorporated area of Coos County of a "transient merchant", as defined in this Division, shall contain the following statement, which shall be conspicuously presented so as to catch the attention of any person who reads, hears or views such advertising device:

"(name of merchant) \_\_\_\_\_ has obtained

the business permit and posted the surety bond, as required by the Coos County Board of Commissioners."

SECTION 02.05.200

RESERVED

SECTION 02.05.210

NOTICES

All notices required to be served under this Division shall be in writing, may be delivered personally or by mail, and shall be deemed effective when received except those notices which are mailed by certified or registered mail, return receipt requested, may, in the absence of other proof, be deemed served on the day after the date of mailing as shown by proof from the post office of such mailing date. It shall be the duty of any permittee under this Division to keep the Sheriff informed of the permittee's business address. Any notice served by the Sheriff or Board of Commissioners by certified or registered mail, return receipt requested, to such address shall be effective notwithstanding the failure of the permittee to receive such notice.

DIVISION SIX - NUCLEAR WEAPONS FREE ZONE

SECTION 02.06.010

DEFINITIONS

As used in this division, unless the context requires otherwise:

- (1) "Component parts" means items directly related to and used only for the production of nuclear weapons.
- (2) "Person" means an individual or a corporation, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

SECTION 02.06.020

PROHIBITED ACTIVITY

No person shall develop, manufacture, place, use or dispose of nuclear weapons or their component parts in the unincorporated areas of Coos County.

DIVISION SEVEN - INVENTORY OF IMPOUNDED VEHICLES

[Adopted as Division Seven of Article II on  
October 5, 1994]

SECTION 02.07.010

DEFINITIONS

"Impounded vehicle" means any motor vehicle that is taken into custody by a peace officer for noninvestigatory reasons (e.g., abandoned or unlawfully parked vehicles, etc.). This division shall not apply to vehicles seized as evidence or seized for forfeiture purposes.

"Inmate property" means any property or belongings held or possessed by any person who has been arrested and is being booked into or processed through the Coos County Jail.  
[Ordinance 97-05-007L]

SECTION 02.07.020

PURPOSE

The purpose of this ordinance is to provide authority for peace officers to conduct inventories of impounded vehicles or inmate property. Such inventories are necessary to protect private property while in police custody, to reduce or prevent the assertion of false claims for lost or stolen property, and to protect people and property from any hazardous condition or instrumentality that may be associated with the vehicle or to protect and maintain the security of the Coos County Jail.  
[Ordinance 97-05-007L]

SECTION 02.07.030

INVENTORIES

Any peace officer who impounds a motor vehicle shall conduct an inventory of said motor vehicle as soon as practical. Any corrections officer shall conduct an inventory of inmate property as soon as practical after the inmate is received in the Coos County Jail. To accomplish the purpose of the inventory as set forth in Section 02.07.020, an officer conducting an inventory shall open and identify the contents of any and all containers, closed or open, found in any impounded vehicle or within any inmate property. Inventories of impounded vehicles or inmate property under this division shall be conducted according to the policies and procedures of the law enforcement agency. [Ordinance 97-05-007L]

DIVISION EIGHT - ALARM SYSTEMS AND PERMITS

[Adopted as Division Eight of Article II on  
April 2, 1997]

SECTION 02.08.010

DEFINITIONS

As used in this Division, unless the context otherwise requires:

- (1) "Alarm monitor" means any person, firm or corporation engaged in the business of receiving from alarm users and transmitting to the Coos County Sheriff's Office communications or signals originating from alarm users.
- (2) "Alarm system" means a mechanical or electrical device designed or used for the detection of an unauthorized entry into or upon premises or for alerting others of an unlawful act within or upon premises, and which, when activated, transmits by any means a signal in any form that is audible, visible, or perceptible outside of the protected land, building, structure or facility. Alarm system includes, but is not limited to, those devices designed to transmit a signal or message to a central alarm receiving station.
- (3) "Alarm user" means any person, firm, partnership, association, corporation or other organization, public or private, in control of premises wherein an alarm system is being maintained.
- (4) "Automatic dialing device" means an alarm system which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit, by voice message or code signal, an emergency message indicating a need for emergency response.
- (5) "False alarm" means a report received by the Coos County Sheriff's Office from any source that results in a response by the Sheriff's Office to the premises on which an alarm system is located, when an emergency situation does not exist on the premises.
- (6) "Premises" means any building, structure or facility, or land within Coos County.  
[14-09-010L]

SECTION 02.08.020

PERMITS

As of the effective date of this ordinance, all alarm users within the County must apply to the Coos County Sheriff's Office (hereinafter referred to as "CCSO") for alarm system permits. No fee shall be charged to such users who make application within ninety (90) days of the effective date of this ordinance. Thereafter, permits for any alarm system within the County, including any activated after the

effective date of this ordinance, shall pay a fee, as set forth in the Coos County Fee Schedule, to the CCSO for issuance. Permits will be valid for four (4) years, expiring on the anniversary date of the issuance. Permits issued after the expired anniversary date will be assessed an additional fee, as set forth in the Coos County Fee Schedule.

No permit fee is charged if the residential customer is over 65 and lives at the premises, unless business is conducted on the premises. No permit fee shall be charged for Government Agencies.

Permits shall remain in effect unless revoked under this ordinance or until the alarm system is dismantled or abandoned by the user. Permits are not transferrable; subsequent users on the same premises must obtain a new permit. The CCSO shall not, by the issuance of a permit, be obligated to respond or accord any priority to an alarm from such system.

Permits issued under this ordinance, and the records of such permits, shall not be considered public records.  
[14-09-010L]

SECTION 02.08.030

DUTIES OF ALARM USERS

It shall be the duty of each alarm user to cause the alarm system to be properly installed, serviced, maintained and operated so that such system will not produce false alarms. It shall also be the obligation of each alarm user to obtain and provide to appropriate occupants and employees of the premises proper instruction on the use and operation of such alarm system. Each alarm user shall secure an alarm system permit which shall be visibly displayed on the front of the premises and shall surrender the same to the CCSO upon sale of the premises or upon disconnection of the alarm system. If the CCSO responds to an alarm at an unregistered premise, an additional fee, as set forth in the Coos County Fee Schedule, shall be charged to the alarm user for each occurrence, whether response is false or not.  
[14-09-010L]

SECTION 02.08.040

FALSE ALARM FEES

During any one rolling twelve (12) month period, an alarm system for which a permit has been issued shall be allowed one (1) false alarm without any fee or charge being imposed. Thereafter, fees for false alarms will be imposed as set forth in the Coos County Fee Schedule. All fees shall be paid to the CCSO.

Failure to pay a false alarm fee within thirty (30) days from the mailing or delivery of a notice requesting such payment

shall be a violation of this ordinance and shall result in automatic revocation of the permit under Section 02.08.080. Where the alarm system is operated through an alarm monitor, such monitor shall be mailed a duplicate copy of the notice to the user requesting payment. [14-09-010L]

SECTION 02.08.050

DEACTIVATING SYSTEM

- (1) The alarm user shall provide the CCSO with the name and telephone number(s) of the person or people to be notified to disable an alarm and secure the premises whenever the alarm system is activated.
- (2) Audible alarms. Upon request of the CCSO, and immediately upon being notified, a responsible party, or other designated person, shall respond to the premises where the alarm system is located and shall disable the alarm and secure the premises.
- (3) Inaudible alarms. Upon request of the CCSO, a responsible party, or other designated person, shall respond, within thirty (30) minutes after being notified, to the premises where the alarm system is located and shall disable the alarm and secure the premises.
- (4) A police officer or deputy sheriff may disable an alarm, or cause an alarm to be disabled, if:
  - (a) It is an audible alarm; or
  - (b) It is an inaudible alarm and a responsible party or designated person does not arrive within thirty (30) minutes after being requested to do so by the County; or
  - (c) The CCSO is unable to contact a responsible party or the designated person, or no person has been designated by the user. [14-09-010L]

SECTION 02.08.060

DUTIES OF ALARM MONITORS

- (1) The alarm monitor shall ensure the alarm system is properly installed and maintained.
- (2) The alarm monitor shall furnish the user with proper instruction to operate the system properly.
- (3) The alarm monitor shall promptly notify the County of the names and addresses of its users as of the effective date of this ordinance and notify the County thereafter as it adds new users or as users are terminated.
- (4) A failure on the part of an alarm monitor to comply with this section shall be a violation of this ordinance. The continuation of such violation after the mailing of a thirty (30) day written notice to the alarm monitor shall be sufficient cause for the County to cease taking

messages or communications from such monitor.

SECTION 02.08.070

DENIAL AND TERMINATION OF PERMITS

- (1) The CCSO shall not be obligated to issue permits for alarm systems to be wired directly into the Sheriff's Department.
- (2) The Coos County Sheriff may require the removal of any alarm system wired directly into the Sheriff's Department when such alarm system is defective or is interconnected with a fire alarm or is a combination fire and police alarm.  
[14-09-010L]

SECTION 02.08.080

REVOCACTION OF PERMITS

Whenever an alarm user violates or fails to comply with the provisions of this ordinance, including the duties of alarm users, the Coos County Sheriff's Department shall mail or deliver written notice thereof to the alarm user. If such user fails or refuses to comply with such notice and this ordinance within a period of thirty (30) days, the Coos County Sheriff shall, if applicable, revoke the alarm system permit issued under the terms of this ordinance and terminate response services to such user, and all alarm users in violation of this ordinance shall be subject to a fee, as set forth in the Coos County fee schedule.

Any such user may appeal the notice of the Sheriff's Office by giving written notice of such appeal and the reasons therefore to the Coos County Board of Commissioners within thirty (30) days after receipt of the written notice. Such notice of appeal must be accompanied by a non-refundable appeal fee, as set forth in the Coos County Fee Schedule. The Board of Commissioners will hear such appeal at its next regular meeting held not earlier than six (6) days after the receipt of such notice of appeal. The decision of the Board of Commissioners shall be final and conclusive.  
[14-09-010L]

SECTION 02.08.090

AUTOMATIC DIALING SERVICE

- (1) It is unlawful for any person to program an automatic dialing device, as defined in this ordinance, to dial any police or fire emergency number (e.g. 911) and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device within twelve (12) hours of receipt of written notice that it is so programmed.
- (2) It is unlawful for any person to program an automatic dialing device to select any telephone



line assigned to Coos County without written permission from the Sheriff's Department and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device within twelve (12) hours of receipt of written notice that it is so programmed.

DIVISION NINE - DECLARING SPECIFIED CRIME PROPERTY TO BE  
A NUISANCE AND ESTABLISHING PENALTIES  
[Adopted as Division Nine of Article II  
on May 7, 1997]

SECTION 02.09.010

DEFINITIONS

As used in this Division, unless the context otherwise requires:

- (1) "Costs" means those costs actually incurred by the County for the physical security of real property, court costs, and other expenses incurred in enforcing this Ordinance.
- (2) "Enforcement Officer" means the Sheriff of Coos County, or his or her designee.
- (3) "Owner" means any person holding or claiming to hold title to real property, including, but not limited to, a mortgagee in possession, a vendee under a land sale contract, or a beneficiary under a deed of trust; any person having or claiming to have lawful care, custody, control or possession of real property by any method or manner whatsoever; an occupant of any real property who is engaging in, or has engaged in, any criminal activity on the real property which may be the basis for a determination the property is specified crime property, and who is known by the person holding or claiming title to the real property or who otherwise has or claims to have lawful care, custody, control or possession of the property to be engaging in, or to have engaged in, such criminal activity.
- (4) "Person" means any natural person, association, partnership or corporation, or other form of legal entity or entity in fact capable of owning or using property.
- (5) "Specified Crime Property" means any kind of real property where a crime involving controlled substances as defined in ORS Chapter 475, gambling as defined in ORS 167.117, or prostitution as defined by ORS 167.007 has occurred or is occurring.
- (6) "Real Property" means any real property, including, but not limited to, lots, parcels, buildings, houses, rooms, structures or any separate part or portion thereof, whether temporary or permanent.
- (7) "Tenant" means a residential tenant, as defined by the Oregon Residential Landlord and Tenant Act, and any other person holding real property under the terms of a lease.

SECTION 02.09.020

SPECIFIED CRIME PROPERTY PROHIBITED

- (1) It is unlawful for any real property to be used or maintained as specified crime property within Coos County.
- (2) It is unlawful for any owner to use or maintain, or to allow the use or maintenance of, real property as specified crime property.
- (3) It is unlawful for an owner to use or occupy, or to allow or permit any person to use or occupy, by lease or otherwise, any real property during any period such property is subject to an order of closure pursuant to this Ordinance.

SECTION 02.09.030

PRELIMINARY NOTICE

- (1) When the enforcement officer has reasonable grounds to believe real property has been, or is being, used or maintained in violation of this Ordinance, the enforcement officer may institute proceedings against the owner for the closure of the real property and the imposition of civil penalties.
- (2) The enforcement officer shall provide preliminary notice of the institution of proceedings in the following manner:
  - (a) The enforcement officer shall notify the owner in writing that the structure is believed to be specified crime property. The notice shall contain the following information:
    - (i) The street address and a legal description sufficient for identification of the structure;
    - (ii) A statement the structure is specified crime property, along with specific findings supporting this determination. The findings shall contain a concise description of the conditions establishing a violation of this Ordinance.
  - (b) A copy of the notice shall be served on the owner at least ten (10) days prior to the filing of a complaint. Service of the notice shall be made by personal delivery or by mailing a copy of the notice by certified mail, with return receipt requested, to the owner at the address as it appears on the tax rolls and the address as it appears on the last recorded instrument of conveyance, if different from the address specified on the tax rolls, and to the owner's actual address, if known to be different from the above.

- (c) A copy of the notice shall be served on the occupant or occupants of the real property not less than ten (10) days prior to the filing of a complaint. Notice shall be made by mailing a copy of the notice by first class mail, or by personal delivery to the occupant or occupants at the real property.
  - (d) A copy of the notice may be posted at the real property if ten (10) days have elapsed from the service or mailing of the notice to the owner and no response has been received by the County during that time.
  - (e) The enforcement officer shall send a copy of the notice to the District Attorney for Coos County, as well as any other documentation supporting closure and the imposition of civil penalties.
- (3) After notice has been given pursuant to this section, the Coos County Board of Commissioners may authorize the filing of a complaint. Nothing in this section shall limit the power of the Coos County Board of Commissioners to enter into an agreement with the owner for the voluntary abatement of conditions giving rise to the violation.

SECTION 02.09.040

COMPLAINT; BURDEN OF PROOF; DEFENSES; STAY OF PROCEEDINGS

- (1) An action shall be commenced by the filing of a complaint alleging facts constituting a violation, containing a legal description of the real property, and alleging that the owner has been notified of the violation at least ten (10) days prior to the filing of the complaint.
- (2) The County shall have the initial burden to show, by a preponderance of the evidence, the real property is specified crime property.
- (3) Evidence of the real property's general reputation and the reputation of persons residing in or frequenting the real property shall be admissible and competent.
- (4) It is a defense to an action seeking closure of the real property that the owner, at the time in question, could not, in the exercise of reasonable care or diligence, determine that the real property was being used or maintained as specified crime property.
- (5) If, prior to trial, the owner and the County enter into an agreement stipulating to the abatement of the conditions giving rise to the complaint, the court, upon motion by the County, may stay proceedings for a period not to exceed sixty (60) days. The owner may thereafter petition the court

for additional periods of time as may be necessary to complete the actions stipulated to in the agreement. If the owner is not diligently pursuing the actions stipulated to in the agreement, the County may apply for release at any time prior to the end of the stay.

- (6) Actions commenced under this Section shall be prosecuted by the South Coast Interagency Narcotics Team (SCINT). [99-10-007L]

SECTION 02.09.050

EMERGENCY CLOSURES

If the enforcement officer determines real property is an immediate threat to the public safety and welfare by virtue of activity which would establish a violation of this Ordinance, the County may apply to the court for a preliminary injunction ordering closure of the real property. In such event, no preliminary notice required under this Ordinance need be given.

SECTION 02.09.060

CLOSURE ORDER AND CIVIL PENALTIES;  
COSTS

- (1) If real property is determined to be specified crime property, the court may order closure of such property for a period of up to one (1) year and assess a civil penalty against the owner of up to \$500 for each day the owner had knowledge of activities or conditions constituting the violation. A person shall be deemed to have had knowledge at a date no later than the date preliminary notice is provided pursuant to this Ordinance. In establishing the amount of any civil penalty, the court may consider the following factors:
  - (a) The actions taken by the owner to mitigate or correct the problem;
  - (b) The financial condition of the owner;
  - (c) Whether the problem at the real property was repeated or continuous;
  - (d) The magnitude or gravity of the problem;
  - (e) The economic or financial benefit accruing, or likely to accrue, to the owner as a result of the failure to correct conditions at the real property;
  - (f) The cooperativeness of the owner with the County;
  - (g) The cost to the County of investigating and correcting, or attempting to correct, the condition;
  - (h) Any other factors deemed material by the court.
- (2) If an order of closure is granted, the County may

physically secure the real property against use or occupancy if the owner fails to do so within the time specified by the order. All costs reasonably incurred by the County in such action shall be a lien upon the property.

- (3) The County shall prepare a statement of costs, which shall be served on the owner and filed with the court. If no objection to the statement is filed with the court within fourteen (14) days of the date of service, the statement of costs shall be entered as part of the judgment and a certified copy filed as a lien against the real property in the lien record maintained by the Coos County Clerk. Liens shall bear interest at the rate of nine percent (9%) per annum, commencing with the date of entry of judgment or order of closure, whichever is earlier.

SECTION 02.09.070

RELOCATION COSTS

- (1) Any tenant required to relocate by a closure order is entitled to reasonable relocation costs, to be paid by the owner, if the tenant moved into the real property after either:
  - (a) The owner received preliminary notice of the institution of proceedings under this Article; or
  - (b) The owner was served with a summons and complaint for a preliminary injunction under this Article.
- (2) In any action to recover relocation costs, the tenant shall be entitled to reasonable attorney's fees associated with recovery.

SECTION 02.09.080

RELIEF FROM CLOSURE ORDER

- (1) The owner of real property may obtain relief from a closure order if the owner:
  - (a) Appears and pays all costs associated with the proceedings;
  - (b) Files a bond with the County in an amount not less than the tax-assessed value of the structure, and keeps such bond in force for a period of not less than one (1) year; and
  - (c) Enters into a stipulation with the County to immediately abate the conditions and to make every effort to prevent the same or similar conditions from occurring at any time.
- (2) If the owner violates any term of the stipulation entered into according to this section, the entire bond shall be forfeited.