

BINGEN CITY COUNCIL MINUTES

July 18, 2023

Meeting Via Teleconference and In-Person

The meeting was called to order by Mayor Catherine Kiewit at 7:00 p.m.

Council members present: Phil Jones, Ryan O'Connor, Joe O'Sullivan, and Brittany Spratt. Staff present: City Administrator Krista Loney, City Attorney Christopher R Lanz.

Audience Present: Reed Stager

Public Comment

None.

Bingen Police Update

Chief Hepner attended the meetings and shared with Council that his attendance at meetings has dropped down due to being short-staffed and needing to make patrol rounds. Chief stated that the mental health initiative is going strong. Erin Quinn from Klickitat County Public Health created a workflow for local law enforcement to use to move through the process of supporting the community. The biggest hurdle is transportation. Special transportation is based on client needs such as medication and supervisory people for the patient.

The Bingen-White Salmon Police will be short-staffed for several weeks as one person is on maternity leave, one person is on paternity leave, Officer Daniels resigned July 17, 2023 and Officer Sauter will be in the equivalency academy until August 18, 2023.

Meeting Minutes – 7/5/2023

Administrator Loney identified a change in the Bingen Fire Update section to correct the number of responses to 194. Mayor Kiewit corrected the line beginning “Mayor Kiewit stated that the BFD was one of the...” to “Mayor Kiewit stated that the BFD wasn’t *identified as* one of the...” Mayor Kiewit added onto the last paragraph under Bingen Fire Update by adding “Mayor Kiewit asked if Bingen can add a Donate button to the fire department website.” Mayor Kiewit clarified the final sentence in the first paragraph under the Water Use Efficiency Report by adding David Spratt’s title of Public Works Superintendent. Mayor Kiewit added clarifying language under the third paragraph of the Vacation Rental code by adding “Council came to consensus that a home with multiple *individual rooms for rent* will be considered one vacation rental.”

Councilor Jones shared a correction to the Shared-Use EV continuation grant by adding that funding from WSDOT *was awarded*.

Councilor Jones made a motion to accept the July 5, 2023 meeting minutes with corrections. Councilor O'Connor provided the second and the motion carried.

Resolution 2023-010 Adopting a Title VI Policy

Administrator Loney provided a memo, Letter of Intent, and the USDOT Title VI Nondiscrimination Assurances. In order to accept the federal funds from the Transportation Alternatives Program (TAP) grant, Bingen must adopt a Title VI policy. Councilor O'Sullivan made a motion to adopt Resolution 2023-010 Adopting a Title VI Policy. Councilor O'Connor provided the second and the motion carried.

Public Hearing – Ordinance 2023-04-737 Adding 17.30 Accessory Dwelling Units

Mayor Kiewit opened the public hearing regarding adding Accessory Dwelling Units to the Bingen Municipal Code at 7:39 p.m. Council reviewed the draft code. No public comments were received. Mayor Kiewit closed the public hearing at 8:01 p.m. Council came to consensus that they would like input from Councilor Schroder. Councilor O'Connor made a motion to continue the public hearing to the August 1, 2023. Councilor O'Sullivan provided the second and the motion carried.

Vacation Rental Code Continuing Discussion

Council continued to walk through the draft Bingen Municipal Code for Vacation Rentals. The following changes were identified:

1. "Owner" will be changed to "Licensee"
2. The paragraph submitted by Reed Stager limiting the number of vacation rentals will be added to 5.16.040.
3. Section 5.16.050.1 will be changed from "Owner" to "Licensee"
4. Section 5.16.050.2 will remove the requirement of the owner to live in the local area
5. Section 5.16.050.4 will change to Self Inspection

Discussion will continue at the August 1, 2023 council meeting.

Daubenspeck Park Updates/Resolution 2023-011 Waiving the State Competitive Bidding Requirement for the Purchase of Park Equipment

Administrator Loney provided a memo outlining the planned changes for Daubenspeck Park, the total budget, the rendering, and the color options. Council discussed multiple color options and agreed that Mayor Kiewit and Councilor Spratt would work together to select a color scheme. The Grounds staff from InSitu volunteered to help with the park renovation.

Administrator Loney also provided Resolution 2023-011 and explained the sole source process for this GameTime playground equipment. Resolution 2023-011 allows the sole source purchase and authorizes the park purchases to move forward. Councilor Jones made a motion to adopt Resolution 2023-011. Councilor Spratt provided the second and the motion carried.

Smoke Testing Report

Evergreen Rural Water completed smoke testing in Bingen and found four places of infiltration which have been fixed or are in the process of being fixed. Mayor Kiewit requested that Administrator Loney work with the City Administrator in White Salmon to ensure that they also complete the testing.

June 2023 Treasurers Report

Administrator Loney presented the June 2023 Treasurers Report and all is as it should be. Councilor O'Connor made a motion to accept the June 2023 Treasurers Report as presented. Councilor O'Sullivan seconded the motion and it carried.

Staff Updates

Administrator Loney had the following updates for Council:

- The TAP grant kickoff meeting is July 24 with Rob Klug from WSDOT.
- The CERB application is with Janea Stark at CERB for review. Bingen met the minimum qualifications and Administrator Loney will be making a presentation on September 21 in Dayton.
- Loney met with Chris Langhoff from TIB again and he advised that Bingen apply for funds to chipseal Pine and Vine, overlay the northernmost block of Cedar, and overlay Jefferson between Cedar and Vine.

Mayor's Update and Council Comments

Mayor Kiewit had the following updates for Council:

- The UTC petition is moving through the system and there has been a lot of recent activity. Mayor Kiewit spoke with Dan MacDonald at BNSF. BNSF wants to install the bridge themselves, which means no shoefly and cost savings. She was told by Senator King that there will be no closure of the Maple or Walnut crossings. There are meetings between BNSF and WSDOT on 8/1 and 8/2, no elected officials invited, that Administrator Loney will attend to take notes. Kiewit is reaching out to the Administrative Judge on the case to request that the pre-hearing date be pushed 1-2 weeks after August 1.
- There is a vacancy for Councilor Schroder's seat and a special filing period of August 2-4 if Council knows anyone.

Councilor O'Sullivan had the following updates for Council:

- He has been offered a new job in Carson City, NV and can no longer serve as Mayor Pro Tempore.

Voucher Approval

Payroll Checks (Dated 7/14/2023) and Payroll EFT (Dated 7/14/2023) totaling \$29,288.07; General Fund - \$9,933.05, Street Fund - \$5,922.99, Water Fund - \$3,375.10, Sewer Fund - \$900.45 and Treatment Plant Fund - \$9,156.48

Councilor O'Connor made a motion to approve the Payroll dated July 14, 2023. Councilor Jones seconded the motion, and it passed unanimously.

Claims Checks (Dated 7/18/2023) totaling \$167,273.52; General Fund - \$38,936.54, Street Fund - \$10,543.11, Street Construction and Maintenance Fund - \$80,991.16, Water Fund - \$16,872.84, Sewer Fund - \$5,972.43, and Treatment Plant Fund - \$13,957.44.

Councilor O'Sullivan made a motion to approve the Claims dated July 18, 2023. Councilor Jones seconded the motion, and it passed unanimously.

Adjournment

Mayor Kiewit adjourned the meeting at 9:26 p.m.



MEMORANDUM

TO: City Council Members

FROM: Krista Loney

DATE: July 24, 2023

SUBJECT: Continued ADU Hearing

Council voted to continue the ADU hearing to the August 1, 2023 meeting as you wanted Councilor Schroder's thoughts. Those are:

Thank you, Krista. I have reviewed the ordinance and have no questions or concerns. I think this will be a welcomed addition to our BMCs and I am excited to see the impact that this will have on our housing inventory.

Please thank the council for considering my input and you've done an excellent job seeing this through!

*Best,
Izzy*

BINGEN MUNICIPAL CODE

Chapter 17.30

ACCESSORY DWELLING UNITS

Sections:

- 17.30.010 Purpose.
- 17.30.020 Permitting.
- 17.30.030 Development Standards.
- 17.30.040 Utilities.
- 17.30.050 Underground Utilities Required.

17.30.010 Purpose.

- A. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
- B. Add affordability options to the existing housing base.
- C. Allow for development of housing units in residential zoning districts that are appropriate for people at a variety of life stages.
- D. Protect neighborhood stability, property values, and the residential appearance of the neighborhood by ensuring that ADUs are installed under the condition of the ordinance.

17.30.020 Permitting.

Approval of a proposed ADU shall be accomplished through review by the city planner and building inspector, whether employed by the City of Bingen or contracted by a third party. In addition to the standard application form, the following shall be submitted to the planner and building inspector:

- A. Scale drawings of the ADU project depicting sufficient detail to interpret the requirements of this section.
- B. A proposal for a Detached ADU, when located on a lot with more than double the minimum lot area of BMC section 17.20.040, shall provide a site plan showing whether the proposed building would hinder future division of the lot.

17.30.030 Development Standards.

- A. Accessory Dwelling Units shall comply with the following standards and criteria:
 - a. Density. Only one ADU may be established in the Residential zone.
 - b. Minimum Lot Size. An ADU shall not be established on any parcel smaller than 5,000 square feet.
 - c. Minimum Unit Size. The gross floor area of an ADU shall not be less than 300.
 - d. Setbacks and Lot Coverage. Additions to existing structures, or the construction of new detached structures, associated with the establishment of an ADU shall not

exceed the allowable lot coverage or encroach into required setbacks as prescribed in the underlying zone. The applicable setbacks shall be the same as those prescribed for the primary structure, not those prescribed for detached accessory structures unless a variance is requested and approved. The ADU shall be oriented in a way that considers and maintains the privacy of residents in adjacent or adjoining dwellings to a practical extent.

- e. Construction Standards. The design and construction of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and any other codes.
- f. Accessibility. To encourage the development of housing units for people with disabilities, the building official may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the International Building Code.
- g. Parking. Additional off-street parking of one space is required in conjunction with the ADU. The off-street parking requirements set for in Chapter 17.20.050 shall be maintained for the primary residence. Spaces provided to serve the ADU shall be dedicated to that purpose and must be kept open and available by residents and guests of the ADU.
- h. Garage Conversions. An existing garage structure may be incorporated as part of an ADU addition to the principal structure, provided that the structure complies with the setback standards applicable to the principal structure in the underlying zone and complies with applicable building codes. The off-street parking requirements for the primary residence shall be provided for elsewhere on-site.
- i. Proximity. To ensure adequate owner supervision and achieve other purposes, the nearest point of a Detached ADU shall be located within 40 feet of the primary unit.
- j. Land Division. The City encourages locating Detached ADUs so as not to hinder future division of the lot.

17.30.040 Utilities.

Water and sewer utilities for the accessory dwelling unit are permitted to be connected to the water and sewer utilities of the primary dwelling per BMC 13.44.060 Later Expansion of Service. In the event such a change occurs, the applicant shall pay an upgrade charge equal to the difference between the charge then in effect for a hookup equal in size to the original hookup and the charge then in effect for the size of additional service the user seeks to install.

Water and sewer utilities may also be connected separately and are subject to connection fees outlined in BMC 13.04.070 Water service connection charges and 13.12.040 Sewer connection charge.

17.30.050 Underground Utilities Required.

All new structures shall be serviced by underground utilities.



MEMORANDUM

TO: City Council Members

FROM: Krista Loney

DATE: July 24, 2023

SUBJECT: Bingen Investments

Budget Committee met on July 21, 2023 to discuss Bingen's investments. When Columbia Bank became 1st Security bank, one of the City's moneymarkets was transferred into a checking account and the majority of the City's CDs have been cashed out. Budget Committee recommends reinvesting into CDs that come at a rate of 1.5% for a 1 Year CD and 2% for a 2 Year CD.

Council will need to take action to allow Administrator Loney to make these changes.



MEMORANDUM

TO: City Council Members

FROM: Krista Loney

DATE: July 24, 2023

SUBJECT: Salary Increases

Late last year I completed a Salary Survey for City of Bingen employees. Mayor Kiewit asked me to add Fire, Council, and Mayor salaries to this work. Budget committee has discussed the financial outcomes that will result from these pay increases.

Budget Committee met on July 21, 2023 to discuss salary increases and would like to move forward as outlined below.

1. Bingen Fire: The Chief and Assistant Chiefs haven't had raises since 2013. Budget committee recommends increasing the Fire Chief stipend from \$200 to \$600 per month and the Assistant Fire Chiefs from \$100 to \$200 per month.

Per BMC this can be done by resolution. Resolution 2023-012 is included here for Council to vote on.

2. Bingen Council: Council received raises in 2018 and 2020, dependent on election year, to the current level of \$150 per month. Budget committee recommends raising Council stipends to \$200 upon election/re-election.

This must be done by ordinance and is subject to a public hearing and advanced noticing. The hearing will take place at the next City Council meeting on August 15.

3. Bingen Mayor: The Mayor received a raise in 2018 to the current level of \$600 per month. Budget committee recommends raising the Mayor's stipend to \$1000 per month. During the summer months Mayor Kiewit has to pay for childcare to perform her mayoral duties. It ends up costing her money to serve as Mayor. The hope is that the higher amount will encourage under-represented residents to run for Mayor.

This must be done by ordinance and is subject to a public hearing and advanced noticing.
The hearing will take place at the next City Council meeting on August 15.

RESOLUTION NO. 2023-012

A RESOLUTION OF THE CITY OF BINGEN

ESTABLISHING COMPENSATION FOR VOLUNTEER FIREFIGHTERS

WHEREAS, the City of Bingen has determined that it is appropriate to make provide a monthly stipend for specific volunteer firefighter officers in addition to their regular compensation schedule;

THE CITY COUNCIL OF THE CITY OF BINGEN, WASHINGTON DO RESOLVE AS FOLLOWS:

Section 1. The following compensation schedule shall be established:

Attendance at Meetings and Drills	\$6.50 per meeting or drill
On Scene Response	\$8.50 per response (incident)
Standby	\$5.00 per incident
Pull large hose	\$8.50 per response (incident)

Section 2. In addition to the above compensation the following positions shall be paid a monthly stipend as indicated:

Volunteer Fire Chief	\$200 \$600 per month
Assistant Fire Chief – Operations	\$100 \$200 per month
Assistant Fire Chief – Administrative	\$100 \$200 per month

ADOPTED by the City Council of the City of Bingen, Washington, and APPROVED by its Mayor, at a regularly scheduled open public meeting thereof this 1st day of August, 2023.

Catherine Kiewit, Mayor

Attest:

Krista Loney, City Administrator

Approved as to Form:

Christopher R. Lanz, City Attorney



MEMORANDUM

TO: City Council Members

FROM: Krista Loney

DATE: July 24, 2023

SUBJECT: Water Rights

In January of 2023 Bingen received a letter from the Department of Ecology that there was a water right that should have had paperwork finalized by December 31, 2019. I submitted paperwork to Ecology to closeout this water right. That paperwork was submitted on February 14, 2023.

Bingen received the following letter from the Department of Ecology on July 21, 2023 acknowledging the documents I sent were received. Bingen now has the responsibility to hire a Certified Water Rights Examiner at a cost of \$4500 to verify the documents that were submitted.

Dan Haller from Aspect Consulting handled the original water rights paperwork in 2014-2015. He can complete the paperwork for Bingen within 60 days with an additional 60 days for Ecology review. This item has been added to the budget amendment that will be reviewed at the next Council meeting.



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

July 21, 2023

SENT VIA EMAIL

City of Bingen
Attn: Krista Loney
PO Box 607
Bingen, WA 98605-0607

Email: administrator@bingenwashington.org

Re: Proof of Appropriation of Water Received for Water Right No. G4-33106

Dear Krista Loney:

We received your Complete Construction and Proof of Appropriation of Water on February 15, 2023, that indicates water use for your project has been fully developed.

Before we issue a water right certificate, we need to verify your water use. Your next step is to hire a Certified Water Right Examiner (CWRE) to perform a field inspection of your water use and prepare a Proof Report of Examination, including a recommendation summary. Ecology will review the CWRE's report and recommendations and make the final decision.

We publish a List of Certified Water Right Examiners here:
<https://apps.ecology.wa.gov/publications/SummaryPages/2011087.html>

If you have questions about this letter, please contact the Water Resources Program, Central Region Help Desk at 509-575-2597 or email us at wrcro@ecy.wa.gov.

Americans with Disabilities Act information

Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7668 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

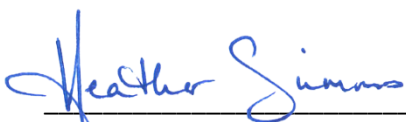
Translation services available to you

There are translation services available to you. Ecology and the Water Resources Program want to provide timely, effective, and culturally responsive language assistance.

English	If you have difficulty understanding English or have a disability, free language assistance or other aids and services are available upon request. Please call: 509-575-2597.
Spanish	Si tiene dificultades para entender la lengua inglesa o presenta una discapacidad, puede solicitar asistencia lingüística y otros tipos de ayuda y servicios sin coste alguno. Llame al siguiente número de teléfono: 509-575-2597.
Chinese TR	如果您理解英語有困難或有殘疾，可應要求提供免費語言援助或其他幫助和服務。請致電：509-575-2597。
Vietnamese	Nếu quý vị gặp khó khăn trong việc hiểu tiếng Anh hoặc bị khuyết tật, hỗ trợ ngôn ngữ miễn phí hoặc các hỗ trợ và dịch vụ khác được cung cấp theo yêu cầu. Xin gọi: 509-575-2597.
Korean	영어를 이해하시는 데 어려움이 있거나 장애가 있는 경우, 요청하시면 무료 언어 지원 또는 기타 지원 및 서비스를 이용하실 수 있습니다. 전화해 주십시오: 509-575-2597.
Russian	Если у вас есть трудности с пониманием английского языка или у вас инвалидность, по запросу предоставляется бесплатная языковая помощь или другие вспомогательные средства и услуги. Пожалуйста позвоните по телефону: 509-575-2597.

Signature

Sincerely,



Heather Simmons, Section Manager
Water Resources Program
Central Region Office

HS:KJ:aa (230730)

Enclosures: [FAQ: Hiring a certified water right examiner](#)

ecc: Carl Einberger, ceinberger@aspectconsulting.com

City Administrator

From: Dan Haller <dhaller@aspectconsulting.com> on behalf of Dan Haller
Sent: Friday, July 21, 2023 1:01 PM
To: City Administrator
Subject: RE: G4-33106 City of Bingen Proof of Appropriation Received

Hi Krista,

I'd be happy to help. I worked on this water right permit for you back in 2014-2015 so am well familiar with it. Ecology requires a site visit, and it will take me about a day to pull together my findings thereafter. So I'd estimate \$4,500 to complete the certification recommendation and work with Ecology to get you the Certificate. I do have availability, and could complete this work within 60 days of Council approving the work. Thereafter, Ecology gets 60 days to review on their side, so you're looking at about 4 months total to get to the finish line.

Thanks, and have a great weekend, Dan

Dan Haller, PE, CWRE | Principal Water Resources Engineer | Direct: 509.895.5462 | Cell: 509.952.8607
Aspect Consulting LLC | 1106 N 35th Ave, Yakima, WA 98902 | www.aspectconsulting.com

This email is intended solely for the addressee(s) and may contain confidential or legally privileged information. If you are not the intended recipient, please immediately alert the sender by reply email and delete this message and any attachments without storing, copying, distributing, or using the contents.

From: City Administrator <administrator@bingenwashington.org>
Sent: Friday, July 21, 2023 11:44 AM
To: Dan Haller <dhaller@aspectconsulting.com>
Subject: FW: G4-33106 City of Bingen Proof of Appropriation Received

Hi Dan,

The City of Bingen needs to hire a CWRE for one of our water rights (please see the attached letter from Ecology). Can you please let me know if you are available, how long this will take, and approximately how much it will cost?

Thanks!

Krista

Krista Loney | she/her/hers

City Administrator

PO Box 607 | 112 N Ash St.

Bingen, WA 98605

P: 509-493-2122 | C: 509-844-8404

Email: administrator@bingenwashington.org

From: Andreas, Angela (ECY) <anan461@ECY.WA.GOV>
Sent: Friday, July 21, 2023 11:22 AM
To: Krista Loney <administrator@bingenwashington.org>
Cc: ceinberger@aspectconsulting.com; Simmons, Heather (ECY) <hsim461@ECY.WA.GOV>; Jensen, Kailey (ECY) <kaij461@ECY.WA.GOV>; Kossik, Christopher (ECY) <CKOS461@ECY.WA.GOV>; Cousens, Heidi (ECY)

<hcou461@ECY.WA.GOV>; Monter, Nikole (ECY) <nmon461@ECY.WA.GOV>

Subject: G4-33106 City of Bingen Proof of Appropriation Received

Please respond to this email communication indicating you have received your document(s) referenced above.

Good morning,

Attached please find the Department of Ecology's Proof of Appropriation in the above referenced matter.

If you have any questions, please contact Kailey Jensen directly at kailey.jensen@ecy.wa.gov.

Thank you.

Americans with Disabilities Act information

Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7668 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disabilities may call TTY at 877-833-6341.

Angie Andreas

*Angie Andreas | Secretary Senior
Department of Ecology | Water Resources | Central Regional Office
1250 W. Alder St. | Union Gap, WA. 98903-0009
Cell: (509) 406-5300 | Main (509) 575-2490 | Fax (509) 575-2809*

angie.andreas@ecy.wa.gov



BINGEN MUNICIPAL CODE

Chapter 5.16

VACATION RENTALS

Sections:

- 5.16.010 Purpose.
- 5.16.020 Definitions.
- 5.16.030 Vacation rental license required.
- 5.16.040 Vacation rental license limit.
- 5.16.045 First right of refusal.
- 5.16.050 Application and fee.
- 5.16.060 Term of annual license.
- 5.16.070 Licensing and renewal procedures.
- 5.16.080 Criteria for approval and renewal of a license.
- 5.16.090 Operational requirements.
- 5.16.100 Revocation procedure.
- 5.16.110 Violation—penalties.
- 5.16.120 Violations—appeals.
- 5.16.130 Discontinuance of vacation rental occupancy.
- 5.16.140 Remedies not exclusive.

5.16.010 Purpose.

- A. In the adoption of these regulations, the city finds that the rental of dwelling units for less than thirty days is an important contributor to the city’s tourism goal. The city also finds that these vacation rentals are part of an emerging market that has the potential to be incompatible with surrounding residential units.
- B. The regulations below are intended to ensure special regulation of vacation rentals that will:
 - 1. Benefit the local economy;
 - 2. Reduce administrative burdens and barriers to entry;
 - 3. Ensure market fairness and taxation;
 - 4. Protect guests;
 - 5. Avoid unchecked neighborhood disruptions.
- C. This chapter provides an administrative framework for licensing the annual operation of a vacation rental. A vacation rental license is a limited permission to use property for vacation rental purposes. A license may be modified or revoked if the standards of this chapter are not met.

5.16.020 Definitions.

- A. “Business Licensing Service” or “BLS” means the office within the Washington State Department of Revenue providing business licensing services to the city.

- B. "Contact Person" means the owner of the property or, if designated on the application for a license, the management representative authorized to act for the owner.
- C. "Dwelling Unit" means one or more rooms occupied, designed or intended for occupancy as separate living quarters which shall include separate spaces for sanitation and food preparation.
- D. "Local Area" means all areas in the Washington counties of Klickitat and Skamania and the Oregon counties of Hood River, Sherman and Wasco.
- E. "Owner" means the natural person or legal entity that owns and holds legal and/or equitable title to the property.
- F. "Remuneration" means compensation, money, rent or other bargained for consideration given in return for use, rent, or occupancy of a vacation rental.
- G. "Total Housing Stock" means the total number of dwelling units with Bingen city limits.
- H. "Vacation Rental" encompasses any of the following terms and their subsidiaries:
 - 1. "Hosted homeshare" means the short-term rental of a portion of a dwelling or an attached or detached separate accessory dwelling unit (ADU) on the property of the licensee's primary address, where the licensee is present during rental periods.
 - 2. "Short-term rental" means a lodging use that is not a hotel or motel or bed and breakfast in which a dwelling unit, or portion thereof, that is offered or provided to a guest(s) by the property owner or operator for a fee for fewer than 30 consecutive nights.
 - 3. "Vacation home rental" means the short-term rental of an entire primary dwelling unit in allowed residential zones. This does not include accessory dwelling units (ADUs) which are permitted under the "hosted homeshare" definition.
- I. "Vacation Rental License" or "License" means the regulatory license required by BMC 5.16.030.

5.16.030 Vacation rental license required.

No owner of property within the Bingen city limits may advertise, offer, operate, rent, receive remuneration for, or otherwise make available or allow any other person to make available for occupancy or use a vacation rental without a vacation rental license obtained through the BLS. Advertise or offer includes through any media, whether written, electronic, web-based, digital, mobile or otherwise. Each separate property in the city offered as a vacation rental must be licensed separately.

5.016.40 Vacation rental license limit.

The number of vacation rentals within the Bingen city limits is limited to 32 dwelling units or 10% of the total housing stock, whichever is lower.

5.16.045 First right of refusal.

Local owners with existing short-term rentals and Washington State Department of Revenue business licenses with City of Bingen endorsements and the business registration category of

“rental” or “short-term rental” prior to adoption of Chapter 5.16 BMC will have first right of refusal to become licensed as vacation rentals under this code.

5.16.050 Application and fee.

- A. Application Required. An application for a vacation rental license shall be completed and submitted to the city through the business licensing service (BLS). The application is subject to the respective application requirements found in BMC 5.16.090. The applicant must also provide supplemental information directly to the city in addition to the application submitted to BLS containing the following information:
1. Owner Information. Owner's name, permanent residence address, telephone number, owner's mailing address, and the vacation rental home address and telephone number.
 2. Contact Person Information. The owner is required to live in the local area as defined by BMC 5.16.020(D). If the owner is not always available when the property is being rented, the owner shall provide the name, telephone number and email of a contact person from the local area to represent the owner regarding the use of the property and/or complaints related to the vacation rental as set forth in BMC 5.16.090(C).
 3. Tax Information. A statement of intent to collect and remit all lodging taxes associated with the vacation rental home.
 4. Inspection Access. A statement allowing the city reasonable access to the property for the purpose of reviewing the proposal for the health and safety requirements set forth in BMC 5.16.090(D).
 5. Right to Publish Contact Information. A statement allowing the city to make owner and contact person phone numbers publicly available at City Hall.
 6. Neighborhood Notice. A statement of intent to notify neighbors as required by BMC 5.16.090(A).
 7. Good Neighbor Guidelines. A statement of intent to provide the city-provided Good Neighbor Guidelines to guests of the vacation rental home.
 8. Parking Diagram. A statement of intent to provide guests of the vacation rental home with a diagram of parking spaces that are available to or intended for use by the vacation rental home.
 9. Liability Insurance. A statement of intent to provide liability insurance coverage as required by BMC 5.16.090(G).
 10. The supplemental application information must be confirmed by signature of the owner or contact person.
- B. Application Fee. Applications under this section, submitted to BLS, shall be accompanied by a nonrefundable city fee in an amount established and periodically adjusted by the city council.

- C. Application Window. Beginning in 2024, applications for the next year will be available in January of the current year and will be due no later than March 1 of the current year. Owners will be notified of the status of their license no later than March 31.
- D. Discretionary Fees. If outside consultant review and/or special inspections are required, the application fee may include the actual costs for labor, overhead, and expenses.

5.16.060 Term of annual license.

A vacation rental license is issued for a period of three years from issuance. The vacation rental license fee is due annually by July 31 regardless of when the Vacation Home Rental permit was issued. Vacation rental license fees are nonrefundable and will not be prorated at any time for any purpose, including but not limited to revocation. The vacation rental license will not be renewed past the expiration date.

A vacation rental license permit will be required to continue operations into a fourth year and beyond. Should the number of applications for a vacation rental exceed the available number of licenses, the city will hold a lottery to decide which applications are approved.

5.16.070 Licensing and renewal procedures.

A vacation rental license shall be obtained and/or renewed as required in this section. The ability to operate a vacation rental home in the city of Bingen shall be discontinued for failure to obtain or renew a license to operate as provided in this chapter.

- A. Application and Renewal Process. A person engaging in operation of a vacation rental home who has not yet obtained a license, or who is required to renew an existing operating license, shall do so as follows:
 - 1. Time for Application.
 - a. New Licenses. For new vacation rental licenses, it is the responsibility of the owner or contact person to apply for and receive a license prior to operation of a vacation rental home.
 - b. Existing Vacation Rentals. A completed license renewal application and renewal fee is due for all existing short-term rentals by the current license expiration date, according to BMC 5.04.030.
 - 2. Notice. Approximately six weeks prior to the license expiration, BLS will send notice of the need to renew the license to the person and at the mailing address provided in the application submitted to BLS.
- B. License Expiration. For failure to submit an application within the 30-day late period after commencing the rental of a vacation rental, the ability to operate shall be conclusively presumed to be discontinued with no further action by the city. Upon expiration of the late renewal period, the ability to operate shall be conclusively

presumed to be discontinued and the city will commence revocation of the license pursuant to the procedures in BMC 5.16.100.

5.16.080 Criteria for approval and renewal of a license.

- A. New License. Upon receipt of a complete application via the business licensing service (BLS), and the supplemental information required for submission to the city under BMC 5.16.050 for a new vacation rental license and payment of all required fees, the city administrator or designee will authorize issuance of a vacation rental license through BLS.
- B. License Renewal. Upon receipt of a complete application for renewal of a vacation rental license and payment of all required fees through the business licensing service, the city will review the application and available information to determine compliance with the operational requirements of BMC 5.16.090. The city administrator may authorize issuance of the license subject to reasonable special operational standards or conditions. If not met, the city administrator or designee will not renew the license and the property shall not be used as a vacation rental home.
- C. Owner's Role. The owner has the burden of proof to demonstrate compliance with each operational requirement and special standard placed on the vacation rental license. Staff may verify evidence submitted and the applicant shall cooperate fully in any investigation.
- D. Appeals. A decision on a license application or renewal may be appealed as provided in BMC 5.16.120.

5.16.090 Operational requirements.

- A. Notice to Neighbors. The owner or contact person shall provide an annual mailing or otherwise distribute by hand, a flier to all property owners of record and/or occupants of properties adjacent to and abutting the property licensed as a vacation rental home. The notice shall include the license number and the telephone number of the owner or contact person. The purpose of this notice is so that neighboring property owners and residents can contact a responsible person to report and request resolution of problems associated with the operation of the vacation rental home. If the permanent contact information changes during the license period, the new information must be mailed or distributed again.
- B. Public Availability. In addition, the city will make a registry publicly accessible within which any person can obtain the owner and contact person's name and telephone number. If the permanent contact information changes during the license period, the new information must be provided to the business licensing service and the city.
- C. Response to Complaints. The owner or contact person shall respond to neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances.

1. Owner Responsibility. Reasonable initial inquiries or complaints related to the expectations set in the Good Neighbor Guidelines may first be made to the owner or contact person. However, it is not intended that the owner or contact person act as a code enforcement officer of the city or put themselves in an at-risk situation. In such cases, the owner or contact person should contact the city to discuss resolution of the complaint.
 2. Complaint Log. The owner or contact person should maintain a record of complaints and the actions taken in response to the complaint, if relevant, in a manner reasonable to document the interaction. If kept, this record can then be made available for city inspection upon request.
 3. City Authority. If there is a failure to respond or a clearly inadequate response by the owner or contact person, the city will investigate as needed. The city will first seek voluntary compliance or resolution, but if the city finds substantial evidence supports further action given the complaint(s), the city will follow the warning and revocation procedures set forth in BMC 5.16.100.
 4. Records. On request and in compliance with the public records law, the city shall provide the owner and/or contact person with the information in the complaint.
 5. Grounds for Warning. Repeated failure of the owner or representative to timely and reasonably respond to a complaint(s) relayed by city staff is considered grounds for a warning and potential revocation under BMC 5.16.100. Repeated noise complaints regarding tenants may be grounds for a warning to the owner, if, in the reasonable judgment of the city administrator, the circumstances indicate the owner should be held responsible. Initiating a nuisance enforcement action under BMC 8.20.020 or BMC 8.20.040 may be grounds for a warning in the appropriate circumstances.
 6. Administrative Rules. The city administrator may establish administrative rules to interpret, clarify, carry out, and enforce the provisions of this chapter. A copy of such administrative rules shall be on file and made available at City Hall.
- D. Health and Safety. Every vacation rental license shall be subject to inspection by the building official or designee at the city's discretion, but no less than once every three years. The purpose of the inspection is to determine conformance with the Vacation Rental Fire Safety Checklist (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.). It is the owner's responsibility to assure that deficiencies identified in the checklist are addressed and that the vacation rental home is and remains in substantial compliance with all applicable fire, building, and safety codes and other relevant laws, whether identified on the vacation rental fire safety checklist or not.
- E. Taxation. The owner shall fully comply with all applicable city and state tax reporting and payment requirements, especially lodging taxes due to the city under Chapter 3.07 BMC and retail sales and use taxes due under Chapter 3.08 BMC.

- F. **Mandatory Postings.** Important information related to the licensing and use of the vacation rental home shall be displayed in a prominent location within the interior of the dwelling, either adjacent to the front door or in a highly visible rental binder. The information shall include:
1. The vacation rental license;
 2. Any special standards placed on the vacation rental license;
 3. The property address;
 4. The name of the owner and contact person and a telephone number where the owner and contact person may be contacted;
 5. The parking diagram of the parking spaces available for use by the vacation rental home. The parking diagram may include on-street parking areas, but on-street parking is not for the exclusive use of any home or vacation rental home;
 6. The city-provided Good Neighbor Guidelines. Additionally, the city encourages all owners to incorporate the Good Neighbor Guidelines into the rental contract.
- G. **Liability Insurance.** The owner shall maintain liability insurance which expressly covers the dwelling unit's use as a vacation rental home.

5.16.100 Revocation procedure.

- A. In addition to the penalties described in BMC 5.16110, the following provisions apply to violations of this chapter:
1. Failure to renew a license as set forth in BMC 5.16.070 is grounds for immediate revocation of the vacation rental license.
 2. Failure to meet the operational requirements of BMC 5.16.090(E) is grounds for immediate revocation of the license.
 3. The discovery of material misstatements or providing of false information in the application or renewal process is grounds for immediate revocation of the license.
 4. Such other violations of this chapter of sufficient severity in the reasonable judgement of the city administrator, so as to provide reasonable grounds for immediate revocation of the license.
 5. Other violations of this chapter, including, but not limited to, city-initiated investigation/sustaining of complaints, shall be processed as follows:
 - a. For the first and second violations within a 12-month period, the sanction shall be a warning notice.

- b. If the same offense continues to occur or a third similar offense occurs at any time during a twelve-month period, the city may either issue a third warning, update the license to include reasonable special operational standards, or revoke the license.
- B. Notice of Decision/Appeal/Stay. If the vacation rental license is updated or revoked as provided in this section, the city administrator shall send written notice to the owner stating the basis for the decision. The notice shall include information about the right to appeal the decision and the procedure for filing an appeal. The owner may appeal the city administrator's decision under the procedures set forth in BMC 5.16.120. Upon receipt of an appeal, the city administrator shall stay the update or revocation decision until the appeal has been finally determined by the city council.

5.16.110 Violations—Penalties.

- A. In addition to the revocation procedures of BMC 5.16.100, any person or owner who uses, or allows the use of, property in violation of this chapter is subject to the enforcement authority of BMC 8.20.020 - Nuisances, and/or BMC 13.24.140 - Public Nuisances. Each day a dwelling is used in violation of this chapter shall be considered a separate violation with a fine of \$250 per violation.
- B. The following conduct also constitutes a violation of this chapter and is a Class I Civil Infraction:
 - a. Representing a dwelling as available for occupancy or rent as a vacation rental home where the owner does not hold a valid license issued under this chapter, or making a vacation rental home available for use, occupancy or rent without first obtaining a valid operating license;
 - b. Advertising or renting a short-term rental in a manner that does not comply with the standards of this chapter; and
 - c. Failure to comply with the operational requirements of BMC 5.16.090.

5.16.120 Violations—Appeals.

- A. Appellant—Standing. The owner or contact person may appeal a decision by the city to deny, revoke or attach special operational standards to a vacation rental license.
- B. Authority to Decide Appeal. The city council shall be responsible for determining an appeal of a decision brought under BMC 5.16.120(A).
- C. Time for Filing. An appellant is required to file a written notice of appeal including the basis for the appeal within fourteen calendar days of the license determination being appealed. This requirement is jurisdictional and late filings shall not be allowed.

- D. Fee for Appeal. The city council may establish by resolution a fee for filing an appeal, which shall be jurisdictional.
- E. Hearing. After receiving written notice of appeal, the city administrator shall schedule a hearing on the appeal before the city council. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant. The council may direct the city attorney to draft findings of fact and interpretations of code or law to be considered at a later Council meeting.
- F. Standard of review and decision. The council shall determine whether the city's decision was based on a preponderance of the evidence. A decision of the council shall be based on the evidence received, in writing and signed by the mayor, and issued no later than thirty calendar days after the close of the hearing.
- G. Finality. The council's decision shall be final on the date of mailing the decision to the appellant. The council's decision is the final decision of the city and is appealable only by writ of review to Superior Court.

5.16.130 Discontinuance of vacation rental occupancy.

- A. After Revocation. After a vacation rental license has been revoked, the dwelling unit may not be used or occupied as a vacation rental home unless a new license is issued, and the owner of the property to which the license applied and whose license has been revoked shall not be eligible to reapply for a vacation rental license for vacation rental home on the same property for a period of 12 months from the date of revocation.
- B. After Expiration. If a vacation rental license expires, the dwelling unit may not be used or occupied as a vacation rental home. The owner of the property to which the license applied and whose license has expired shall be required to apply for and obtain a vacation rental license before the property may be lawfully used or occupied as a vacation rental home.

5.16.140 Remedies not exclusive.

The remedies provided in this chapter are in addition to, and not in lieu of, all other legal remedies, criminal and civil, which may be pursued by the city to address any violation of this code.



City of Bingen Vacation Rental Fees

\$TBD Application Review Fee

Vacation Rental applications must be submitted to the City of Bingen within the application window of the current calendar year in order to operate in the next calendar year. If the application review is complete and the permit is issued, the permit will be valid for three calendar years. If the owner wishes to continue operating a Vacation Rental after the initial three years, a new application must be submitted and the application review fee paid.

If an application is submitted outside the application window, the application may be accepted if the limit on the number of Vacation Rental permits has not been reached. If the limit of Vacation Rental permits has been reached, the application will be returned to the applicant and a review fee will not be collected.

\$285 Annual Permit Fee

Vacation Rental permits will be issued for three calendar years at a time. The permit fee is due annually and must be paid on-time. If the permit fee is not paid by the due date, the permit will be revoked. Permit fees are nonrefundable and will not be prorated, even in case of permit revocation.

Vacation Rental Fire & Life Safety Inspection

The City of Bingen requires homeowners to obtain a Vacation Rental inspection completed by a licensed home inspection company that covers the items listed in the City's Vacation Rental Inspection Process checklist. The homeowner will handle payment and scheduling of this inspection directly with a home inspection company.

City fees are set by Resolution of the City Council and are typically updated annually for inflation.



City of Bingen Vacation Rental Inspection Process

The City of Bingen requires homeowners to obtain a Vacation Rental inspection completed by a licensed home inspection company that covers the items below. The homeowner will handle payment and scheduling of this inspection independently with a home inspection company. If any of the required inspection items below fail, a reinspection is required. Once a passed inspection is received, the inspection report is required to be included with the vacation rental application.

Vacation Rental Unit Inspection Responsibility. It is the Vacation Rental licensee's responsibility to assure that the vacation rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, other relevant laws, and the City's checklist for Vacation Rentals. Verification by the City may be required prior to issuance of a license and may be required for each renewal at the City Administrator's discretion.

Required Inspection Items

Is the structure a Single Family Dwelling?

1. Smoke Alarms

- a) Home has smoke alarms on every level
- b) Home has a smoke alarm in every bedroom
- c) Smoke alarms are located outside each separate sleeping area
- d) Smoke alarms are located at least 10 feet from a stationary or fixed cooking appliance
- e) For larger homes (where the interior floor area on a given level is greater than 1,000 square feet), there is an average of at least 1 smoke alarm for every 500 feet
- f) All smoke alarms are working

2. Carbon Monoxide Alarms

- a) Home has a carbon monoxide alarm outside each separate sleeping area
- b) Home has a carbon monoxide alarm on every level
- c) Carbon monoxide alarms are working

3. General Safety

- a) House number is visible from the street
- b) Doors & Windows used for escape open easily - not blocked by furniture, security bars, or nailed/painted shut
- c) Hot Water Heater is set no higher than 120 degrees Fahrenheit

4. Flammable Appliances

- a) Things that can burn are at least 3 feet from the furnace
- b) Furnace is inspected and cleaned annually
- c) Chimney is inspected annually and cleaned as needed

- d) Clothes dryer lint filter and vent pipe are clean
- 5. Throughout the Home**
 - a) If smoking is allowed on property, there are approved containers to receive burning cigarette butts
 - b) Adequate light and ventilation
- 6. Kitchen**
 - a) Things that can burn are removed from the immediate area of the stovetop
 - b) Tip over device on stove
 - c) Fire extinguisher – minimum of one per floor
- 7. Living/Family Room**
 - a) If there is a fireplace, it has proper screen and hearth
 - b) Things that can burn are at least 3 feet from space heaters and fireplaces
- 8. Bedrooms**
 - a) All bedrooms have two ways out - typically this is an egress door or window directly from bedroom to outside & the general exit path back out through front door. See page 3 for further window egress details. Contact the Building Department if you need further clarification.
- 9. Garage**
 - a) There is a solid door between garage and residence
 - b) Flammables are stored properly
- 10. Outside the Home**
 - a) Outside electrical receptacles are GFCI and they are in good working condition
 - b) There is no rubbish, trash, brush, or tree trimmings accumulation on the property, on the roof, or in the gutters
 - c) Barbecue grill is only used outdoors
 - d) Swimming pool filter, heater or hot tub is properly grounded
 - e) Exit path is clear and unobstructed to public way
- 11. Electrical**
 - a) Kitchen and bathrooms have GFCI outlets on countertop surfaces within 6 feet of running water outlets and they are working properly
 - b) All receptacle and switch faceplates are installed and in good condition
 - c) Receptacles have been tested and are in good working condition - no evidence of arcing or overheating
 - d) Switches are in good condition - no evidence of arcing or overheating
 - e) Lighting fixture canopies are fastened in place and fixture is in good condition
 - f) Bulbs in light fixtures are the correct wattage for the lighting fixture
 - g) Flexible cords and cables (extension cords) are not used as fixed wiring, run through holes in walls, ceiling or floor, run through doorways or windows, or under carpets, or attached to building surfaces
 - h) Panel board and distribution equipment is accessible for inspection and in good condition - no evidence of overheating, corrosion, or other damage
- 12. Stair Safety**
 - a) Stairs are provided with handrail(s)
 - b) Stairs can be illuminated
 - c) Stair tread depth and riser height are uniform
 - d) Guardrails are in place
- 13. Bingen Short-term Rental Rules Compliance**
 - a) License/Tax Certificate Posted Prominently

b) Parking Diagram in Prominent Location

c) Parking Diagram Spaces Actually Available - Provide picture of parking space(s)

14. Post Good Neighbor Guidelines

Recommended Items

1. Smoke alarms are interconnected so when one sounds, they all sound
2. Home has a home fire sprinkler system
3. No lit candles are permitted in home
4. Small appliances are unplugged when not in use
5. The use of portable space heaters is not allowed
6. All second-floor bedrooms have an emergency escape ladder stored in a conspicuous place
7. Gas powered equipment is stored in an outside shed or garage, separate from the home
8. Gasoline is stored in an approved safety container in an outside shed or garage, separate from the home
9. Swimming pool or hot tub is enclosed by a four-sided fence and locked gate
10. Stairs can be illuminated for nighttime use



City of Bingen

Vacation Rental Inspections

Protection

The primary objective is to provide the guests of vacation rental homes with a measure of protection based on the provisions of the Residential Building Code. Just as important, however, is good common sense on the part of the owner in providing a safe environment for his or her guests.

Smoke Detection

Smoke detectors are one of the most important standards for the protection of the public. They provide early notification to the tenants in the event of a fire for their quick exit from the building during this critical time frame. Detectors should be located on every level of the dwelling including the basement, inside every bedroom, and outside the immediate vicinity of the bedroom and be loud enough to wake sleeping persons.

Carbon Monoxide Detection

If the rental unit is equipped with gas burning appliances or has an attached garage, carbon monoxide detection shall be installed in the area within the bedrooms or giving access to the bedrooms.

Egress

In addition to smoke detection, proper exiting from the building is critical to escape. Means of egress include all components in the normal path of travel to the outside of the building. There should be no unusual obstructions in the exit route to the outside of the building.

Doors should have a clear width of 32 inches to facilitate egress. The door width requirement may be reduced to 28 inches in older buildings subject to the authority having jurisdiction. Doors shall swing freely with no sticking.

Floors should be level with minimum changes in elevation.

Corridors should be at least 36 inches wide and have minimal projections entering the space, including furniture and decorations, so as to not slow down persons exiting from the building.

Door locks in the egress passages should be easily unlocked without any undue hardship or tools.

One and two-family dwellings must have a primary and secondary means of egress. The primary means is generally a door leading into the building with egress windows serving the secondary means of egress from bedrooms. Windows should open easily without undue effort. Second and third floor rooms will be equipped with a stair ladder or other safe means of egress in each room.

Attached garages must be separated from the dwelling unit by fire grade sheetrock and a fire door leading into the structure. Primary egress through a garage is not acceptable.

General Housekeeping

Common sense goes a long way towards maintaining a safe rental property.

Keep critical areas free of combustible materials and obstructions. Critical areas include woodstove spaces, heating devices, oil tanks, electrical panels, and similar areas. Keeping these areas clear also grants service personnel access for repairs.

Keep exit passages free of obstructions including furniture, bikes, decorations, etc.

Provide the renter with important information such as contact telephone numbers to eliminate confusion when a problem occurs.

Provide the renter with a floorplan or emergency exit map posted in the kitchen and near any exit doors.

Include instructions for the renter that contain clear directions to the property which renters can relay to the Dispatch Center in the event of an emergency.

Place appropriate signage with the 911 address clearly visible to direct responders to the property.



City of Bingen Vacation Rental Application

Vacation Rental Information

Vacation Rental Address: _____

Vacation Rental Parcel Number: _____

Vacation Rental Phone Number: _____

WA State Business License (UBI) #: _____

Type of Short-Term Rental:

- Hosted Homeshare (bedrooms within home)
- Vacation Home Rental (entire home)

For Hosted Homeshare, portion of Home to be Rented (e.g. basement bedroom and bathroom)

For Vacation Home Rental # of Bedrooms: _____ # of Bathrooms: _____

Listing Number or Website Addresses, list all that apply (e.g. VRBO/AirBNB/Vacasa/rental website number, acct. #, URL):

Property Owner Information:

Owner must reside within the local area (Klickitat, Skamania Counties in Washington; Hood River, Sherman, Wasco counties in Oregon)

Owner Name: _____

Owner Phone #: _____

Owner Email Address: _____

Owner Local Address: _____

Owner Mailing Address: _____

Property Manager Information (if applicable):

Contact Person Name: _____

Contact Person Phone #: _____

Contact Person Email: _____

Contact Person Local Address: _____

Contact Person Mailing Address: _____

Checklist of Required Documentation:

- Proof of residency – Provide one copy of at least two of the following documents:
 - Copy of voter registration;
 - Copy of Washington Driver’s License or Washington Identification Card;
 - Copy of federal income tax return from the most recent year
- Parking Diagram and Photos of interior and exterior parking spaces
- Documentation of liability insurance as required by RCW 64.37.050.
- Completed Checklist for Fire Safety
- Proof of garbage service

By completing and signing this application I (we) affirm that:

Initial next to each statement and sign at the bottom.

Initial

- _____ The information contained herein is true and correct to the best of my knowledge.
- _____ The operation of the vacation rental unit is in compliance with any applicable private covenants.
- _____ The tenants will be provided a parking diagram verifying the location of all parking spaces available for the vacation rental and the diagram will be posted in a prominent location within the vacation rental. The designated parking spaces will be available for use by vacation rental tenants.
- _____ Operation of the vacation rental will comply with Good Neighbor Guidelines and the Good Neighbor Guidelines will be provided to tenants in the rental agreement of by posting it in a prominent location within the vacation rental.
- _____ The approved license for the vacation rental will be posted in the interior of the dwelling adjacent to the front door.
- _____ I (we) have read and understand and agree to comply with the terms outlined in Bingen Municipal Code (BMC) regulating Vacation Rentals (BMC Title 5 Chapter 16).
- _____ I (we) understand that a current Washington State Business License and City of Bingen Business License are required to operate a Vacation Rental.
- _____ I (we) understand that there is a limited number of Vacation Rental permits available.
- _____ I (we) understand that Vacation Rental permits are issued on a calendar year.
- _____ I (we) understand that Vacation Rental permits are issued for a three year period and that the permit fee must be paid annually by the due date.
- _____ I (we) understand that permit fees are nonrefundable and will not be prorated for any reason, even revocation of the permit.
- _____ I (we) understand that after the initial three year period of the permit, I (we) must reapply for a Vacation Rental permit.
 - _____ I (we) understand that the permit will be issued if permits are available under the limit for the current year.
 - _____ I (we) understand that all Vacation Rental Applications will be placed into a lottery system if more applications are submitted than permits available and I (we) consent to

the ability of the Vacation Rental that I (we) operate being subject to the outcome of said lottery.

- _____ I (we) understand that nonpayment of the permit fee by the deadline will result in revocation of the Vacation Rental permit.
- _____ I (we) understand that the Vacation Rental must collect and remit state and local sales and use taxes and special hotel/motel taxes as required by the City and State of Washington Department of Revenue.
- _____ I (we) understand that the Vacation Home will maintain liability insurance covering its use as a vacation rental.
- _____ I (we) will maintain updated contact information, including mailing address, phone number and email address, during the period of licensure for the purposes of official communication about the vacation rental, including service of any notice, warning letter, citation or complaint related to the vacation rental.
- _____ I (we) understand that the response time for the owner or local contact to address questions or concerns from the renters is expected to be no more than one hour.
- _____ I (we) consent to service of any warning letters, citations, and complaints by mail at the designated mailing address of the primary vacation rental owner provided on this Vacation Rental Application form.
- _____ I (we) understand providing false information in this application shall be a violation of the City of Bingen Municipal Code, and shall be grounds to deny the application, void the approval, enjoin the use, and revoke a Vacation Rental license issued for the property.

SIGNATURES: All Owners must sign

<hr/>		
Owner Signature	Printed Name	Date
<hr/>		
Owner Signature	Printed Name	Date
<hr/>		
Authorized Agent/Property Manager Signature	Printed Name	Date



Vacation Rental Good Neighbor Guidelines

Hello new neighbors! However long you stay, Bingen welcomes you as part of our community. We like our small-town charm, and we think you will like it too. These Good Neighbor Guidelines are available to help keep our small town an amazing place to live, work and play.

1. **24-Hour Contact Information.** If at any time you have concerns about your stay in regard to your neighbors, please call the contact number listed in the rental lease agreement or posted in the unit. In the event of an emergency, please call 911.
2. **General Respect for Neighbors.** Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors, their privacy, and their property.
3. **Noise.** Be considerate of the neighborhood and your neighbor's right to quiet enjoyment of their home and property, especially after 10 p.m.
4. **Maintenance of Property.** Be sure to pick up after yourself and keep the property clean, presentable and free of trash.
5. **Parking.** Refer to the parking diagram posted in the unit and park on-site whenever possible. Do not park on lawns or in a manner which blocks driveways, sidewalks, alleys or mailboxes. On-street parking is a community resource, do not be surprised to see a neighbor parked in front of the home you are renting.
6. **Traffic Safety.** Drive slowly through neighborhoods and watch for pedestrians and children playing. Our streets, sidewalks and trails offer safe, convenient, and interesting alternatives to your in-town destinations.
7. **Fires.** Our wonderful summer weather lends itself to heightened fire hazards. Help us stay safe from wildfires by fully extinguishing cigarettes and abiding all seasonal and emergency bans on recreational fires.
8. **Pets.** Promptly clean-up after your pets, prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
9. **Tenant/Guest Responsibility.** Approved guests and visitors are expected to follow the Good Neighbor Guidelines. Be sure to read your rental agreement for additional terms and restrictions which may include consequences for violating the Good Neighbor Guidelines.



Vacation Rental Neighboring Properties Notice

TO: Neighboring Properties

FROM: _____ License # _____

DATE: _____

SUBJECT: Short-Term Rental In Your Neighborhood

A property in your neighborhood recently registered with the City of Bingen to operate as a short-term rental. The City views short-term rentals as a valuable component of our tourism economy, but it also values the peace and comfort of its residents and property owners. The short-term rental is located at:

The owners of the short-term rental hope that the use of the facility as a short-term rental will not disturb your peace and comfort.

As a property owner or occupant adjacent to or abutting the address above, this notice provides you with the contact information of the short-term rental's owner and/or local contact. You are encouraged to contact them with any questions or concerns about the property's use as a short-term rental, and especially if the guests of the home are inconsiderate of the attached Good Neighbor Guidelines. The property's continued use as a short-term rental hinges on its ability to avoid neighborhood disruptions and the ability to deal with issues before they become a nuisance or require any investigative effort or corrective action by the City.

Owner Name: _____ Phone #: _____

Local Contact: _____ Phone #: _____

The representatives above can be treated as your first line of defense against neighborhood intrusions from short-term rentals, but if they are unresponsive or continually unsuccessful at addressing your concerns, please contact the City.

City Hall Phone #: 509-493-2122 x1

Emergency Police #: 911

Thank you.

Short-Term Rental Owner

Project Status Report

Overall Status: **Pre-Work**

Project Name: TAP Grant Alder and Cedar Sidewalk Design

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
- High Risk: At risk, with a high risk of going off track
- At Risk: Milestones missed but date intact
- Off Track: Date will be missed if action not taken

The project is Prework the week of AUGUST 1, 2023 due to the following:	<ul style="list-style-type: none">● Rob Klug from WSDOT met with Superintendent Spratt and Administrator Loney on July 24, 2023 to complete the forms necessary to obligate the funds.● Once funds are obligated Bingen can issue a Request for Proposals
Financing	Transportation Alternatives Program Grant Transportation Alternatives Program Grant: \$100,000 Bingen Required Contribution Amount: \$0
Contact Information	Rob Klug, WSDOT Office 360-905-2182 Email: klugr@wsdot.wa.gov

Project Status Report

Overall Status: **Order Pending**

Project Name: City of Bingen Daubenspeck Park Improvements

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
 - At Risk: Milestones missed but date intact
- High Risk: At risk, with a high risk of going off track
 - Off Track: Date will be missed if action not taken

<p>The project is Order Pending the week of AUGUST 1, 2023 due to the following:</p>	<ul style="list-style-type: none"> ● Mayor Kiewit sent two color schemes for renderings
<p>Financing</p>	<p>ARPA Funds Will be used for the majority of the project.</p> <p>Park Construction and Maintenance Fund Funds currently available: \$66,400.37</p> <p>Potential Grant – Local Parks Maintenance, Up to \$100,000 If awarded funds will be used to install an ADA-compliant path through Daubenspeck along the playground, possibly add an outdoor handwashing station, and other general improvements.</p>
<p>Timeline</p>	<p>Planned improvements will begin after the Huckleberry Festival and conclude by mid-October.</p>

Project Status Report

Overall Status: **Waiting**

Project Name: City of Bingen Oak Street Reservoir Replacement

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
 - At Risk: Milestones missed but date intact
- High Risk: At risk, with a high risk of going off track
 - Off Track: Date will be missed if action not taken

<p>The project is Waiting the week of AUGUST 1, 2023 due to the following:</p>	<ul style="list-style-type: none"> ● AES mobilizing to begin work August 21, 2023
<p>Financing</p>	<p>USDA Rural Development Loan 1 Total Amount: \$952,500 Bingen Required Contribution Amount: \$103,000</p> <ul style="list-style-type: none"> - Interim Financing through North Cascades Bank Contact person: Evan Church – evan.church@northcascadesbank.com, 509.888.6000 - Bond Counsel: Foster Garvey Contact person: Lee Marchisio – lee.marchisio@foster.com, 206.790.7287 <p>USDA Rural Development Loan 2 Total Amount: \$1,107,000 Bingen Required Contribution Amount: \$26,258</p> <ul style="list-style-type: none"> - Interim Financing through Cashmere Valley Bank Contact person: Tom Brown – Tbrown@cvb.bank, 425.688.3936 - Bond Counsel: Pacifica Law Group Contact person: Deanna Gregory – deanna.gregory@pacificallawgroup.com, 206.349.0773 <p>USDA Rural Development Grant 1 – spent last Total Amount: \$228,400</p>
<p>Financials</p>	<p>City of Bingen Required Contributions - \$129,258</p> <ul style="list-style-type: none"> - Expended as of this report: \$129,258 – CITY RESPONSIBILITY COMPLETE! <p>Gray and Osborne Construction Management - \$157,132</p> <ul style="list-style-type: none"> - Expended as of this report: \$59,140.98
<p>Reporting</p>	<p>Outlay Report (OLR) 5 has been submitted for payment. OLR 6 has been created.</p>

Contact Information

Gray and Osborne is the engineering contact for the Oak Street Reservoir. AES Construction won the bid to complete the project.

Chris Boehm

Mobile: 360-931-3976

Email: chris@advexc.us

Marti Canatsey, USDA RD

Email: marlene.canatsey@usda.gov

Jamin Ankney

Mobile: 509-930-6454

Email: jankney@g-o.com

Project Status Report

Overall Status: **On Track**

Project Name: Water and Sewer Rate Study

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
- High Risk: At risk, with a high risk of going off track
- At Risk: Milestones missed but date intact
- Off Track: Date will be missed if action not taken

The project is On Track the week of AUGUST 1, 2023 due to the following:	<ul style="list-style-type: none">● Ashley Emery will make an initial presentation of results and the model to Water and Sewer committee the week of August 14.
Financing	City of Bingen Water and Sewer Funds
Messaging Plan	<ul style="list-style-type: none">● Public notice will be issued for the presentation at Council
Contact Information	Ashley Emery, Peninsula Financial Consulting Cell: 206-284-3147 Email: pfcash63@gmail.com

Project Status Report

Overall Status: **Active**

Project Name: SR-14 Water Main Extension

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
- High Risk: At risk, with a high risk of going off track
- At Risk: Milestones missed but date intact
- Off Track: Date will be missed if action not taken

The project is Active the week of AUGUST 1, 2023 due to the following:	● A signed contract was returned to Bell Design on July 24, 2023
Financing	Klickitat County Public Economic Development Authority KCPEDA Grant \$75,000 Bingen Required Contribution Amount: \$0 Bingen Required Work: Apply for Community Economic Revitalization Board (CERB) Planning Funding to further support this project and fund an economic development study
Contact Information	Richard Foster, KCPEDA Office 509-773-7060 Email: richardf@klickitatcounty.org Stoner Bell, Bell Design Mobile: 509-493-3886 Email: stonerbelle@belldesigncompany.com

Project Status Report

Overall Status: **Submitted**

Project Name: UTC Petition

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
- High Risk: At risk, with a high risk of going off track
- At Risk: Milestones missed but date intact
- Off Track: Date will be missed if action not taken

<p>The project is Submitted the week of AUGUST 1, 2023 due to the following:</p>	<ul style="list-style-type: none">● Bingen submitted a petition to the Utilities and Transportation Committee on June 14, 2023. This petition begins the mediation process between Bingen and BNSF.● The pre-hearing with the administrative judge has been pushed back to August 16 or 17.● Senator King met with Johan from BNSF on July 10. After that meeting, both Senator King and Mike Briggs from WSDOT reached out to notify Mayor Kiewit that BNSF wants to build the bridge themselves, they can do the work without the shoefly, cost savings to the project for BNSF to do the work will be \$6 million, and the Maple street at-grade crossing will not have to close.
<p>Financing</p>	<p>TBD</p> <p>If Bingen ends up pursuing mediation, it will be Bingen's financial responsibility to cover costs.</p>

Project Status Report

Overall Status: **Active**

Project Name: Treatment Plant Capital Facilities Plan

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
 - At Risk: Milestones missed but date intact
- High Risk: At risk, with a high risk of going off track
 - Off Track: Date will be missed if action not taken

<p>The project is Active the week of August 1, 2023 due to the following:</p>	<ul style="list-style-type: none"> ● Nancy Wetch and team are actively working on the CFP ● Timeline: <ul style="list-style-type: none"> - Internal G&O Kickoff 6/9/2023 - WWTP Site Visit week of 6/23/2023 – visit occurred 6/23/23 - Draft CFP week of 8/14/2023 - City review meeting week of 8/28/2023 - Finalize in September
<p>Financing</p>	<p>City of Bingen Treatment Plant Fund – 25% of total costs</p> <p>City of White Salmon Fund TBD – 75% of total costs</p>
<p>Messaging Plan</p>	<ul style="list-style-type: none"> ● Public notice will be issued for the presentation at Council
<p>Contact Information</p>	<p>Nancy Wetch, Gray and Osborne Office: 509-453-4833 x1413 Cell: 509-945-9894 Email: pfcash63@gmail.com</p>

Project Status Report

Overall Status: **Arrived**

Project Name: City of Bingen ZAP Electric Vehicle Program

August 1, 2023

Status Code Legend

- On Track: Project is on schedule
- High Risk: At risk, with a high risk of going off track
- At Risk: Milestones missed but date intact
- Off Track: Date will be missed if action not taken

The project is Arrived the week of AUGUST 1, 2023 due to the following:	● Mayors Kiewit and Keethler worked with Tammy Kaufman to draft a press release.
Financing	WSDOT Zero-Emissions Program Grant Transportation Improvement Board Grant \$225,801 Bingen Required Contribution Amount: \$0 Bingen Required In-kind: Trenching
Messaging Plan	● Lot will be closed X date sign 3 days prior to work across the opening of the lot.
Contact Information	Jennifer Zavan, Forth Office 513-289-1814 Email: jenniferz@forthmobility.org Nathaniel Hill, Klickitat PUD Mobile: 509-493-9554 Email: nhill@klickpud.com Dennis Muilenberg, Coburn Electric Office: 541-354-1163 Email: dennis@coburnelec.com