

**AGENDA
DAYTON CITY COUNCIL
WORKING SESSION**



DATE: MONDAY, OCTOBER 15, 2018
PLACE: CITY HALL ANNEX, 408 FERRY STREET
TIME: 6:30 PM

Dayton – Rich in History....Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
This time is reserved for questions or comments from persons in the audience on any topic.		
D.	DISCUSSION ITEMS	
	1. Council Calendar for January/February/March 2019	1-4
	2. Library Fines and Fees	5-20
	3. Accessory Dwelling Units – Water/Sewer/SDCs	21-30
E.	CITY COUNCIL COMMENTS/CONCERNS	
F.	INFORMATION REPORTS	
	1. City Manager’s Report	31-32
G.	ADJOURN	

Posted: 10.12.18
Rochelle Roaden, City Recorder

Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Dayton AT LEAST 32 WORKING HOURS (4 DAYS) prior to the meeting date in order that appropriate communication assistance can be arranged. The City Hall Annex is accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.

NEXT MEETING DATES
City Council Regular Session Meeting, Monday, November 5, 2018
City Hall Annex, 408 Ferry St, Dayton

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, Interim City Manager
Issue: 2019 Council Meeting Schedule

Background and Information

There are a few agenda items which need to be scheduled at the beginning of 2019 and need everyone in attendance. In order to make sure we do not have scheduling conflicts, please review the attached calendar so we can discuss when it would be best to schedule the following items:

- ✓ City Council Rules Review (currently scheduled for 01/22/19 with City Attorney)
- ✓ City Council Goals Review
- ✓ City Councilor Training
- ✓ Emergency Operations Center (EOC) Training

2019

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Council Meetings

To: Honorable Mayor and City Councilors
Through: Rochelle Roaden, Interim City Manager
From: Cyndi Park, Librarian
Issue: Library Fine Policy and Amnesty Month for November 2018

Background and Information

Public libraries exist to serve the information and literacy needs of their communities. As part of this service, librarians do research and advocate for change when it becomes necessary, and there is currently a movement in public libraries across the nation to address their Fine policies. It has been noted that fines disproportionately prevent children and patrons with limited incomes from accessing library services while doing little to encourage patrons to return items on time. Because of this, many libraries are going fine-free. Willamina has already instituted this policy for patrons under the age of 18 and Salem is in the process of implementing it for all patrons. CCRLS does not set our fine policy, but per our agreement with them, we would still collect fines for any libraries that continue to charge them.

The library does not depend on the revenue generated by fines to cover our operating expenses. It costs us staff time to collect fines and creates an adversarial relationship between the library and our patrons. Rather than continuing to charge fines for overdue items, I suggest that we instead charge patrons the replacement cost for materials that are 35 days past their due date, along with our standard \$5.00 processing fee. Should the patron return the item, the replacement cost would be forgiven, but 50% of the processing fee would remain. We would continue to send notices to patrons about their overdue (or soon to be overdue) materials as we do now.

Further, I would like to advertise November, 2018 as an “amnesty” month for fines on library materials. Along with our canned food drive to reduce fine balances, we could also advertise that patrons could return any overdue item to our library until December 14th and we would forgive the late fines on those items. According to the research in the field, in many cases patrons feel as though they have already “paid for” items that they have been assessed fines for, and see little value in returning the item to the library. Once amnesty is offered, libraries have had great success in conducting programs like this, and I believe that this would help us to not only get materials back into our collection but it would foster a feeling of goodwill within our community.

SECTION 8:**Library Fines and Fees**

Adopted October 3, 2016

Resolution 16/17-03

\$60.00	Annual Fee for non-city and out of district residents wishing for full-service cards (please note – children’s cards through age 17 will still be available free of charge, but may only be used for children’s and young adult items.)
\$20.00	Local Option Card annual fee for non-city residents who wish to check out books only from our Library. Patrons with this type of card may also use it to place holds on Dayton items only.
\$0.00	Basic Card for Adult, Child, Teens and Seniors will still be free, but holders are limited to 10 items checked out and 10 items on hold at one time in the CCRLS system.
\$.25/day	Late Fees for Books & Audio Books
\$.50/day	Late Fees for Videos & DVD’s

SECTION 9: APPLICATIONS AND FEES

REQUIRED APPLICATIONS AND FEES			
Type of Application	Fee	Resolution Ordinance Code	Date Approved
Business Registration	25.00	3.3	11/03/94
Social Gaming License (tax –exempt)	\$25.00	3.6.4	05/04/98
Social Gaming License (non tax-exempt)	\$120.00	3.6.4	05/04/98
Social Gaming License (New application investigation fee)	\$100.00	3.6.2	05/04/98
Encroachment Permit – Street Use/Closure	\$25.00	2008/09-42	04/06/09
Encroachment License – Construction	Varies	ORD 635	08/01/16
Declaration of Candidacy Filing Fee	\$10.00	1.02.02	Unknown
Liquor License (New Application)	\$25.00	2010/11-30A	05/02/11
Liquor License (Renewal)	\$25.00	2010/11-30A	05/02/13
Transient Lodging Tax Registration	0.00	631	12/07/15

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Why Lansing Public Library went fine-free, starting May 1

April 30, 2018 by Melanie Jongsma

BY MELANIE JONGSMA

LANSING, Ill. (May 1, 2018) – As of May 1, 2018, the Lansing Public Library will no longer charge fines for overdue materials. Library Director Debbie Albrecht shared the reasoning

behind that decision, and dismantled some commonly held misunderstandings about libraries and fines:

- 1. Libraries are about providing access to information.** Fines create barriers to information. Albrecht cites an example of people who are looking for a job— “If they have overdue book fines, they are blocked from using the computers to job search. If your money is already limited, late fees just compound your problems.” Albrecht’s philosophy is that the library should be a resource to anyone who needs it.
- 2. Fines actually prevent people from returning materials.** Albrecht knows that once an overdue fine reaches a certain level, she is not likely to ever see that book again: “People don’t return it because they do not want to deal with overdue fines!” By wiping away late fees, she explains, the stigma is removed and the materials are returned and made accessible to other patrons. “Some traditionalists will argue that without fines there is no incentive to return a book on time,” says Albrecht. But she counters, “Yes there is—you appeal to people’s good side.”
- 3. Fines are not an important source of library revenue.** Lansing Public Library has seen decreased revenue from fines over the years, and Albrecht believes it will not be a hardship to replace that revenue. In fact, she already received notification that the library will be receiving \$35,414 in per capita grant funds this year, which is about a \$14,000 increase from the previous year. That plus an anticipated increase in revenue from printing and copying done by library patrons will more than make up for the revenue from fines.

Fine-free is angst-free

But to Albrecht, going fine-free is less about revenue and more about the culture she wants to create at the Lansing library. When staff have to spend time tracking fines and sending notices and having tense conversations with patrons, they aren’t doing the things that make the library feel like a resource.

Without fines, she says, “We will be able to say, ‘Yes’ more. Time can be spent making the library a more welcoming place. I cannot quantify that but it is huge. It is about providing better service to all our patrons.”

Mutual appreciation

Albrecht believes that Lansing library patrons will appreciate the decision to be fine-free, and that they will respond in kind. "We expect to get a lot of good will from our users because we have stopped charging overdue fines. We want our patrons to know we believe they will do their best to return what they borrow—so others in their neighborhoods can have what they need too.

"We try very hard to spend our tax dollars wisely. We have not increased our levy the last two years, and we managed to update the library and equipment to give our patrons the best resources and spaces possible."

Other fine-free libraries

Lansing Public Library is not the first in the area to do away with fines. Oak Park, Algonquin, and Addison Public Library have already eliminated fines, and others are exploring the idea. In fact, the American Library Association promotes "the removal of all barriers to library and information services, particularly fees and overdue charges."

The Lansing Public Library is located at 2750 Indiana Avenue in Lansing.

Share the news—



Community

- < LCS welcomes LPD for Young Authors Day
- > Marian Catholic recognizes 91 students for academic success

1 thought on "Why Lansing Public Library went fine-free, starting May 1"



Avid Patron

May 2, 2018 at 1:17 pm

I always thought our Library was a fount of knowledge. Now I know it as a well-spring of wisdom.

The End of Fines?

by [Lisa Peet](#)

Sep 25, 2018 | Filed in [Leadership](#)

As recently as a decade ago, for a library to abolish overdue fines was a radical move. Some libraries have been fine-free for years—a few for their entire existence. But for many, the idea has gathered momentum recently, along with the growing awareness that fines and fees are an equity issue, raising barriers to those who need the library most.

Apart from “this is how we’ve always done it,” there are three common reasons given for collecting fines and fees: to generate revenue, to ensure that books are returned, and to teach responsibility. These are the same across all types of libraries—public and academic, large and small, urban and rural. Yet as more libraries go fine-free, their experiences challenge all three.

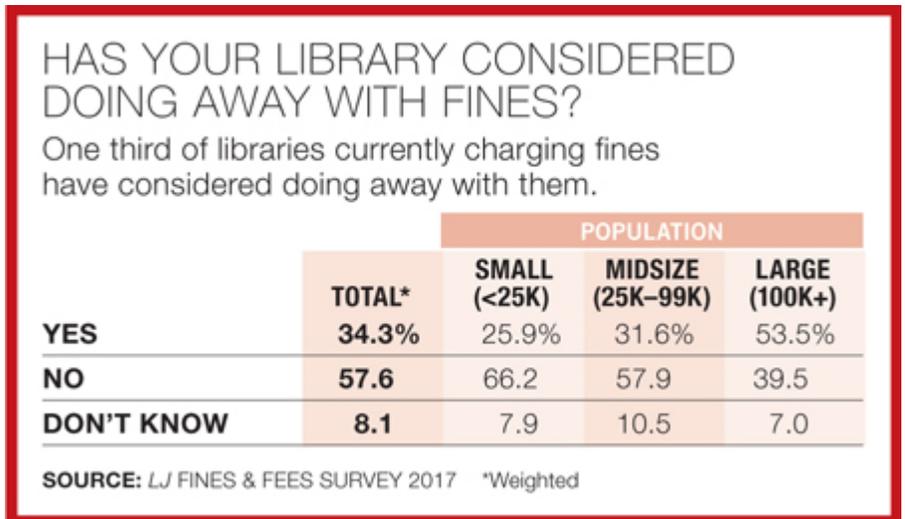
Much has changed even since *LJ*'s January 2017 Fines and Fees survey (see “[Doing Fines\(s\)?](#)”). Those results showed 92 percent of the more than 450 respondents collecting fees. Only five percent of those did not charge for children’s materials. Although responding libraries estimated that around 14 percent of materials were returned late, the majority—88 percent—were returned within one week of the due date. Daily fines for lateness were typically small, approximately 17¢, but could be up to a maximum of \$5–\$10, or the cost of replacement.

Recently, large systems such as the San Diego Public Library; Enoch Pratt Free Library (EPFL), Baltimore; Salt Lake City Public Library (SLCPL); Nashville Public Library; [St. Paul Public Library](#), MN; and more have eliminated fines entirely, as have many suburban, small-town, and rural libraries. Academic libraries from private universities to small community colleges have elected to stop collecting late fees from students. Some libraries that have eliminated fines for books still charge fees on items such as DVDs or Playaways; others do not. Some place a freeze on holds until an item is returned; some don’t. (Nearly all fine-free libraries charge for lost or damaged items.) In her recent editorial “Farewell to Fines” (*LJ* 7/18), *LJ* editor in chief Rebecca T. Miller asked readers about their experiences going fine-free. Several of the responding libraries are included in this article.

What all fine-free libraries have in common, however, is that they have examined their budgets, card registration patterns, renewal rates, and circulation statistics; reviewed before and after numbers and testimonials from peer libraries; and then stepped up to challenge the assumptions for collecting fines in the first place. Increasingly, they have found that eliminating fines has raised circulation numbers, brought lapsed users back to the library, and boosted goodwill, which can lead to substantial funding gains at the ballot box.

REMOVING BARRIERS

In 2014, the Colorado State Library (CSL) undertook a two-year project, funded by the Institute of Museum and Library Services (IMLS), to promote early learning among low-income children. The resulting study and report, Project SPELL (Supporting Parents in Early Literacy Through Libraries), scrutinized barriers to public library use among parents and caregivers in low-income communities and discovered that fines and fees were among the greatest obstacles.



Many parents and caregivers surveyed said that although they did use the library, they didn't let their children check out books because they didn't want to risk late fines and were afraid they wouldn't be able to return them in time—whether because of work schedules, mobility issues, or lack of reliable transportation. Other parents, explains CSL youth and family services consultant Beth Crist, told them, “We do let our kids check out books, but as soon as we get home we put them high up on the shelf and don't let the kids touch them because we don't want them damaged or lost.”

The study led to a white paper, “Removing Barriers to Access: Eliminating Library Fines and Fees on Children's Materials,” issued in 2015, and many libraries have used it as a starting point for analyzing whether they can—and should—go fine-free.

REVENUE, RETURNS, RESPONSIBILITY

Revenue from fines and fees has been falling steadily for years as more e-materials—which are returned automatically—enter circulation, and more libraries institute auto renewal for physical materials without holds. The income generated by fines currently averages one percent or less across all types and sizes of libraries. Many that have gone fine-free have easily made up the shortfall by other means, such as offering passport services or holding fund raisers. Some even find that the cost of collecting fines equals or even exceeds the revenue thus generated, so that eliminating them doesn't leave any shortfall to overcome.

Late fees can encourage returns and thus put books back in circulation, but they can also backfire, as patrons who can't afford to pay the accumulated fines may decide not to return a book at all. Amnesty periods, reading down fines, or “food for fines” donation programs don't always serve the people who need them most. EPFL had held a number of food for fines initiatives over the years, and these proved solid partnerships with local food banks, reports CEO Heidi Daniel. The problem, she explains, “was that you can't ask a customer who themselves might benefit from the services of a food bank to participate in that program.”

The concept of promoting responsibility is the hardest to quantify and inspires debate over whether it ought to be a library job even if fines were effective at doing so. Notes SLCPL executive director Peter Bromberg, “The library is an arm of the government, and I believe that the teaching of morals and behavior is really the purview of the family and the church. I would want to be very sensitive about the government stepping in and seeing itself as having a role to teach morals and moral responsibility.” Even for those who are comfortable seeing libraries in that role, questions of equity arise: Is it fair to put a freeze on the card of a five-year-old who can’t get to the library to return a book on time? Or to punish a patron who might need to choose between paying a fine and eating?

STARTING ANEW

A number of recent fine-free initiatives originated with a new director who brought fresh eyes and a creative take on breaking down service barriers to their system.

Bromberg arrived at SLCPL in 2016 with the initial goal of laying the groundwork for a budget increase, imagining he’d save the question of fines for the following year. As he met with board members, city council, community leaders, and employees, however, he found himself casually bringing up the idea of going fine-free, and people were interested to hear more. In the process of discussing the budget, “I was workshopping the [fine-free] messaging a little bit,” Bromberg explains. “I could start to see what was resonating and what wasn’t.”

By the time Bromberg gave his formal budget presentation in spring 2017, he recalls, the city council executive director was all in: “We want you to do this fine-free thing now. It’s a great idea—why wait?” Surprised, Bromberg only had a few months to put a policy together, but it was passed and implemented by the beginning of July 2017. Bromberg elected to wipe all fines clean and go forward fine-free and immediately saw an increase in checkouts, new cards, and returning borrowers. He has been collecting statistics since then and gladly shares them, adding, “I feel like I have a part-time unpaid consulting gig...helping libraries go fine-free.”

Sharing both quantitative and qualitative data on the transition is critical to assisting more libraries to move forward on eliminating fines. When then adult services director Bobbi Perryman wanted to take the Vespasian Warner Public Library District (VWPLD), Clinton, IL, fine-free in 2009, she reports, there was little hard or anecdotal data on the subject. The director at the time had a background in law enforcement, she says, “so her knee-jerk reaction was, ‘They’ve broken the rules. They have to be punished somehow.’”

Perryman, now VWPLD executive director, did her own research. She pointed out that the library’s overdue fees, maxing out at \$2 per item, accounted for .0016 percent of its income while taking up large amounts of staff time. Perryman recalls college students who had lost library privileges as children coming in to pay their fines once they had jobs of their own.

Another groundbreaker, Colorado's Anythink Libraries, also decided to go fine-free in 2009—the change initiated by staff who had begun experimenting with the idea the previous summer. Fines were waived for children and teens who signed up for summer reading, recalls Director Pam Sandlian Smith, and “the response from the community was so positive that it set the conversation in motion to create

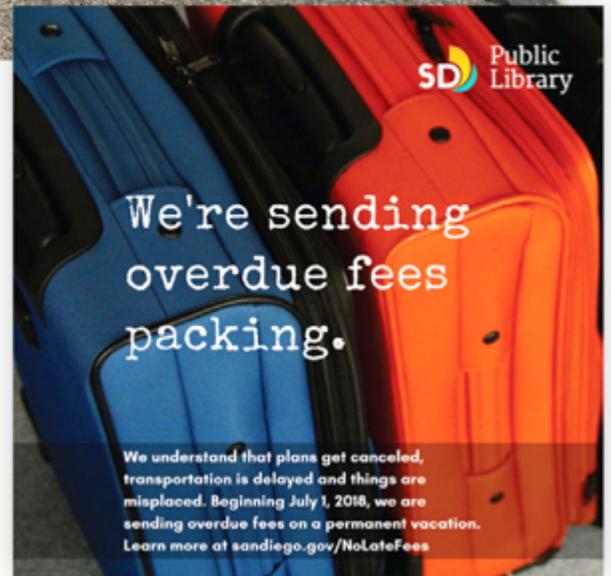
a fine-free policy.” The library formed a task force, made a recommendation to the administrative team, and developed a draft policy to present to the Board of Trustees.

“When people discover that they aren't going to be penalized for forgetting to return their books on time, they are always a bit surprised and always grateful,” notes Sandlian Smith. “We want people to remember the library for the fabulous experiences they encounter, not the grief of having to pay a fine for returning books a few days late.”

FINE-FREE FOR LIFE

Sometimes, however, the library convinces the director. When Cheryl Schoenhaar stepped into her role at the helm of the Town Hall Library (THL), North Lake, WI, in 2013, she had spent most of her 30 years of librarianship in fine-based institutions. THL, however, had been fine-free since it opened in 1966. At her welcoming reception, she recalls, “Over half of the 90 people who attended felt the need to get me into a quiet corner so that they could share two main themes over and over again—how truly wonderful the staff were...and how important it was to remain a no-fines library. As one member of the Friends of the Town Hall Library commented, ‘Why would we want to fine our neighbors? That's just not the community we want to have.’”

THL serves a largely agricultural population that poses multiple challenges to due dates. Farmers' schedules don't always align with that of the library, Schoenhaar says, vacation home owners take books back to their home states by mistake, and homeschoolers tend to keep materials for an entire semester. Instead of fees, the library employs a “high touch” system of personal phone calls to remind patrons: “Hey, those books are a little overdue right now. If you could get those back to us, we'd really appreciate it.” Return rates average around 95 percent, says Schoenhaar.



FINE-FREE IS FINE The Enoch Pratt Free Library celebrated doing away with fines with a block party featuring performances, food trucks, a DJ, and a new mural at its Walbrook branch; fine-free announcements from the Salt Lake City Public Library and San Diego Public Library. Photo courtesy of Enoch Pratt Free Library

EASING STUDENT BURDENS

Academic libraries are also realizing the additional stresses overdue fines can place on students who are already struggling to manage their time—not to mention meeting extra expenditures on top of tuition and textbooks. Because academic libraries often need to maintain separate fiscal accounts for different kinds of transactions, maintaining those accounts involves another set of costs.

When Jeff Wahl, library director at the Front Range Community College (FRCC) Westminster Campus Library, CO, brought up the idea of going fine-free, he was pleasantly surprised that the college's fiscal department jumped at the idea. FRCC was already working to simplify financial procedures on campus, he explains, and the library was an easy item to cross off the list. The largest community college in the state, it employs only five library staff members, who share reference, circulation, and teaching duties. "I can't justify having any time taken away from that to put toward processing credit card receipts and putting together financial statements for the small amount of money we bring in," says Wahl.

The dual use Westminster Campus Library shares space with a local public library that still collects fines, but navigating different fine policies with a shared integrated library system (ILS) hasn't been difficult. Students who don't return a book after a month have their college accounts frozen and won't be allowed to register or drop classes until it is returned; members of the public who don't return books are blocked on the shared ILS.

MAKING THE CASE

The advice CSL's Crist has for libraries looking to make the case to their boards or city council is to begin with as much research as possible on their own system, starting with basic numbers: how much of the library's operating or materials budget comes from fines, and the accumulated time, energy, and financial costs to the library to collect them. At a minimum of 30 seconds per transaction, collecting fines can significantly eat into the time of desk staff. With the additional expense of credit card transactions or collection agencies, fiscal costs add up. And the majority of those exchanges do not feel positive to either party—a more difficult cost to quantify but a critical one.

Augment the quantitative data with testimonials, Crist advises. "If you can collect some compelling stories about how fines have negatively affected people in your communities, that can be powerful."

A board or city council may respond positively to the idea of a pilot period. Crist suggests a full year, if possible, as borrowing habits can vary seasonally. Starting with children's materials can also help sway reluctant officials, she adds.

THE CASE FOR EQUITY

The most compelling reason, of course, is the need for every one in a community to have access to the library, regardless of their ability to pay.

When EPFL set out to make a case for going fine-free, the library's Innovation Team interviewed staff at other systems that had eliminated fines, reviewed those libraries' policies and procedures, and looked internally at how much revenue EPFL's fines were generating (in this case, less than one quarter of one percent of the overall budget). A public advisory council of city residents offered input from a patron perspective. Finally, the team gathered statistics on not

only which neighborhoods were seeing the most fines collected but where the greatest number of blocked users lived—which proved to be in the library's lowest-income communities. (Similarly, SLCPL found that its three branches serving a predominantly lower-income population accounted for 14 percent of circulation and 32 percent of blocked cards.)

Erin Schmändt, director of the Caro Area District Library (CADL), MI, considered going fine-free for several years before deciding the library board would be open to the idea. The CADL service area is largely rural and low income, with a state mental hospital and a number of group homes in the area. Library policy was to block patrons who owed more than \$10 not only from checkouts but from in-library computer use; in a community with low Internet access, this impacted everyone from schoolchildren to job hunters.

Schmändt gathered articles about libraries that had made the transition, printed them out, and made packets for her board members in September 2017. When the board met in October it had some reservations, chiefly about losing revenue. She crunched the numbers to show that the library would only lose \$2,000 a year out of a \$515,000 budget—an amount the library could easily absorb—and stressed that the library would still bill for lost items. That November, the seven-member board agreed to a trial period of one year, which was implemented on January 1.

Although that year is not yet over, Schmändt doesn't imagine the board will want to return to collecting fees. "I have fewer people in collections than I did in the past," she notes, pointing out that since the spring, card sign-ups are up by about 50 percent.

Still, it's the stories that resonate most. Shortly after CADL waived fines, Schmändt recalls, a girl came in who would be starting at the nearby middle school that fall. A constant reader, she had racked up so many fines that her parents had taken away her library card. "And she was just ecstatic that we were going fine-free," says Schmändt. "She...said, 'I'm going to be reading so much, I'll be here after school every day!' She was so happy to come back."

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Imagining A Fine-Free Future

Midwinter panel argues for the elimination of fines

By Phil Morehart (<https://americanlibrariesmagazine.org/authors/phil-morehart/>) | February 11, 2018

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Peter Bromberg, Sarah Houghton, and Gretchen Caserotti, at "Fine Free Future," a Center for the Future of Libraries program at the 2018 Midwinter Meeting & Exhibits in Denver

To fine or not to fine? The question divides the library community. In Fine Free Future, a Center for the Future of Libraries

program at the 2018 Midwinter Meeting & Exhibits in Denver, three librarians waded into the argument to advocate for the elimination of fines for overdue materials and to advise librarians on how to make a case to administrators and community members who may be opposed to the idea.

Gretchen Caserotti, director of Meridian (Ida.) Library District, began by asking the standing-room-only crowd why libraries charge fines. Answers ranged from "It's a revenue stream for the city" to "It's a tool to teach responsibility to younger patrons." She said there is little research to support these, according to "Removing Barriers to Access," a Colorado State Library white paper. Rather, there are larger philosophical arguments against fines.

"Are they the right thing to do?" asked Peter Bromberg, director of Salt Lake City Public Library.

Fines adversely affect lower-income populations, Bromberg said, and can make people avoid the library altogether. He relayed an anecdote about a conversation he had with a Lyft driver about fines. The driver stopped going to the library because of his backlogged fines.

"It's like having to pay another credit-card bill at the end of the month that I can't afford," the driver told Bromberg. The words had an impact on the librarian.

The panel broke down various arguments and conversation points to help librarians justify eliminating fines. They said that it was not the library's job to teach responsibility to patrons.

Latest Library Links

<https://americanlibrariesmagazine.org/la-links/>

3h



<https://www.districtdispatch.org/2018/08/may-retirement/>

Kaiti Kromer writes: "August 31 is the beginning of the end of an era for ALA's Washington Office: It is the last day that Director of Administration Pat May plays a full-time role on our team. Pat has been with ALA for almost 30 years. Though we will feel the loss of Pat on a full-time basis, we are grateful that she will continue with us on a part-time basis for a few more months after her retirement before we let the rest of the world reap the benefits of her full-time attention."

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Sarah Houghton, director of San Rafael (Calif.) Public Library, said fines get in the way of a library's mission to serve the entire community, regardless of socio-economic standing. Barriers exist for some populations to pay fines, and by enforcing them, libraries are subverting their core values.

"Is it the library's job to teach moral instruction?" Houghton asked. "It's not our job to do that; it's not a core value. We have to weigh our core value of access to all over moral responsibility."

The trio insisted that knowing baseline census, demographic, and economic data is crucial to swaying administrators and community to eliminate fines. Politics must be considered as well. Bromberg noted that compelling arguments can be made to convince detractors of all political leanings by simply using the right data for the right audience.

Logistics must be considered as well, they said. Libraries must know what their ILS systems can and cannot do in regards to fine elimination. Fine overrides may have to be conducted manually. Staff retraining may be necessary, especially for staffers who may be opposed to the elimination of fines. And policies explaining just what fines will be eliminated or reduced must be put in place.

The panelists explained their own libraries' experiences with fine elimination, and the results were overwhelmingly positive.

Bromberg said checkouts rose 10% at Salt Lake City Public Library, and the number of new cardholders rose 3.5%. Getting rid of fines brought new people into the library and allowed previous users to return, he said.

Houghton relayed a story about a mother who came into the library to return an armful of long-overdue children's books shortly after San Rafael Public Library instituted its no-fine policy for kids' books. When told that she wouldn't be fined, the mother broke down in tears.

"I can now afford to buy dinner tonight," she said to Houghton. The woman's response alone is enough to justify the end of fines, the panel agreed.

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PHIL MOREHART is an associate editor of *American Libraries*.

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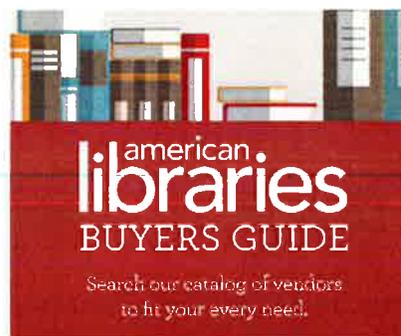
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Local

Baltimore's Pratt Library will go fine-free for overdue books

by Yvonne Wenger June 11

Baltimore's Enoch Pratt Free Library on Monday became the first major urban library system on the East Coast to eliminate fines on overdue books and other materials when it wiped out \$186,000 in penalties for 26,000 people and welcomed back 13,000 borrowers whose cards were blocked.

The library said it will forgo about \$100,000 in fines collected each year but will continue to charge customers full price to replace books never returned. President Heidi Daniel, who took over last year after longtime leader Carla Hayden left to head the Library of Congress, described the action as a goodwill gesture that speaks to the Pratt's mission in Baltimore while reflecting a trend sweeping libraries across the country.

"People always think: 'That's such a radical idea. How can the library exist if you don't charge fines?' " Daniel said. "Once we start talking it through . . . people get it pretty quickly. It makes a lot of sense.

The policy is welcome news for Vanessa Gordon. She visits the Washington Village branch as often as once a week,

ADVERTISING

But she says her multiple sclerosis disrupts her life, throwing off schedules and getting in the way of returning her library books before the due dates. Fines stack up, and paying them is both an inconvenience and a burden.

"Sometimes I am not well, especially in the winter, and I can't get out," Gordon said. "I love the library. I love to read. This is absolutely fabulous."

Daniel said other libraries that have done away with fines — in Salt Lake City, Nashville, and Columbus, Ohio — report higher circulation but little difference in unreturned materials. The Pratt's circulation has fallen in recent years, from 1.16 million in 2015 to 991,000.

An analysis by the Pratt and other libraries shows that fining customers affects lower-income users disproportionately and punishes children who might have limited control over returning books on time, Daniel said. About 2,500 of the Pratt's blocked cards belong to children and teens.

[Maryland Legal Aid helps people grapple with issues only a lawyer can fix]

For the poorest customers, Daniel said, paying fines can be such a barrier that they stop using the library. Adults were charged 20 cents a day for late materials, up to \$6 per item. Children and teens were charged 10 cents a day up to \$3, which librarians said can accumulate easily when parents and children check out stacks of colorful picture books to read together.

Once the debt reached \$10, cards had been blocked.

"We see families who come in and have to leave empty-handed without books," Daniel said. "We asked ourselves, 'Why are we in the City of Baltimore?'"

"It's not because we want to collect your 10-cent fine. We're in the City of Baltimore because we want to provide access and we want to empower every resident of this city. We can't do that if we're telling people at \$10 you can't use us anymore."

The money the library expects to lose in fines amounts to a quarter of a percent of its \$40 million annual budget. The library will not cut any services as a result, Daniel said. She is considering adding revenue-generating services, such as accepting passport applications, to help offset the loss.

Five percent of the Pratt's 290,000 active users are blocked because of fines. About 26,000 items, or 1.5 percent of the Pratt's materials, are considered lost, meaning that the customer has been billed for the replacement cost.

Under the new policy, the replacement cost of the book will be waived when users return the item in good condition. Cards will be blocked at \$25; payment plans will be available.

Pam Sandlian Smith, president of the Public Library Association, said a growing number of libraries are going fine-free. Others, including in Washington, New York, Los Angeles and Philadelphia, provide special exceptions for children. Some systems let customers reduce their fines by reading or by donating canned food instead of payment.

More libraries are considering how to become fine-free, Smith said, but depend on the fine revenue for operations. Some oppose the idea of going fine-free because they see imposing fines as teaching personal responsibility.

Daniel said the Pratt has a role in teaching responsibility — but through programs and classes, such as those in financial literacy or life skills.

Under the new policy, people will continue to have a financial incentive to return their books. Items declared lost, after the due date and automatic renewals, when applicable, will be billed along with fees of about \$15. If a book is still not returned 45 days after the final due date, the library will contact a collection agency. The debt would not count against a credit report.

Whether fines are a good way of teaching responsibility is debatable, Daniel said.

"I am not sure I am teaching an 8-year-old personal responsibility when they come in and we say to them, 'I am sorry you can't have any items today,' " she said. "Research shows people who return their books on time, responsibly, will continue to do so, because it's the right thing to do.

"The other incentive is, we will send you a bill."

Helen Witte takes her children, ages 4 to 9, to the Hampden branch each week. They carry out 15 or more books every time. She tries to limit each child to five, but her youngest always grabs extras.

Witte says her schedule is often hectic, and getting every book back to the library before the due date can sometimes get lost in the bustle of life.

She said the freedom that will come with having no more fines will make life a little simpler.

"There is one book in our house that is missing," Witte said. "We're still on the lookout for that."

—Baltimore Sun

 6 Comments

The Washington Post

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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, Interim City Manager
Issue: Accessory Dwelling Units (ADUs) Discussion

Background and Information

In 2017 the State legislature passed State Bill 1051 to address the shortage of housing in Oregon. It required the following: “A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.”

In June of this year, the City Council adopted Ordinance 642 amending the Dayton Development Code allowing one ADU per single-family dwelling. (Code is attached.) Staff is needing further direction from Council in order to update our code regarding water and sewer rates and SDC charges. Here are a couple questions to start this discussion:

- 1) Will an accessory dwelling unit be required to have its own water and sewer connections to our mainline or will they be allowed to tap into the water and sewer laterals of the primary residence? If allowed to tap into the existing water and sewer laterals, will they be charged an additional EDU for their water and sewer services? (One EDU equals \$59 water/\$40 sewer base charge per month.)
- 2) Will System Development Charges (SDCs) be required for building a new accessory dwelling unit?

Dayton’s SDCs support our capital funds for Water, Sewer, Street and Parks. Currently our cost for a 5/8-3/4” meter size (normal connection) is \$13,031 and allocated as follows:

Water - \$4,242	Streets - \$1,125
Sewer - \$7,564	Parks - \$100

ADUs will add more stress to Dayton’s water and sewer systems and will increase the urgency to expand our sewer lagoons which are already at capacity and critical. Staff cannot recommend waiving any or a portion of the SDCs for the water or sewer systems because this revenue will be needed to help fund infrastructure improvements.

The Oregon Department of Land Conservation and Development (ODLCD) has issued guidance asking cities to realize the financial barriers associated with requiring separate public utility connections for ADUs. Also, ODLCD recommends revising SDCs for ADUs. Some of the larger cities have responded with waiving all or a portion of their SDCs. Portland, for example, has a waiver program for ADUs with the stipulation that the ADU cannot be used for short-term rental for a period of 10 years. The City of Bend will charge water and sewer SDCs if the water

and sewer line size is increased. Staff is in the process of polling the other cities in Yamhill County and will provide their information at the October 15th work session.

TITLE 7: LAND USE AND DEVELOPMENT CODE
SECTION 7.2.4
SUPPLEMENTAL STANDARDS FOR SPECIAL USES

7.2.401 GENERAL PROVISIONS

- A. Application. Special uses are subject to specific development standards. These standards are non-discretionary so that special review of a proposed development is not required. The standards contained in this Section apply where a special use is identified as a permitted use. If the special use is listed as a conditional use, the standards contained in this Section shall be considered guidelines and may be modified or eliminated. The special use standards do not automatically apply unless the subsection number is referenced following the use title (e.g. Manufactured Home Park, Section 7.2.405).
- B. Development Requirements. Unless specifically modified by the provisions of this Section, special uses are still subject to the development requirements of the underlying zone. Where the special use standard imposes a standard higher, the special use standard shall apply.

7.2.402 ACCESSORY DWELLING UNIT

Where permitted as a special use, an accessory dwelling unit shall meet the following use and development standards: *(Amended Effective 06/06/16, Ordinance 633)*

- A. Only one accessory dwelling unit is permitted per detached single-family dwelling, in association with a primary residence. *(Added ORD 642-Effective 07/02/18)*
- B. Location. The accessory dwelling unit shall be located within the side or rear yard, but not in a side yard adjacent to a street. A detached ADU shall be physically separated from the primary residence by a minimum distance of 6 feet. A covered walkway, which contains no habitable space, may connect the two buildings without violation of the setback requirements. *(Amended ORD 642-Effective 07/02/18)*
- C. Entrance. The entrance to an attached ADU shall not face the street on the same side as the entrance for the primary residence. *(Added ORD 642-Effective 07/02/18)*
- D. Design. All detached ADU's shall meet the design requirements of Section 7.2.310: Single Family Dwelling Design Standards. Detached ADUs that are more than 15 feet in height shall meet the following standards for the exterior of the ADU: Exterior finish materials, roof pitch, trim, eaves, window orientation and dimension must be the same or visually match those of the primary dwelling OR must be made from wood, composite boards, vinyl or aluminum products composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern with boards 6 inches or less in width.

ADUs in design or historic overlays may be subject to additional design requirements. ADUs in the Historic Property Overlay Zone (Section 7.2.112) that can be seen from the street must be approved through Historic Resource review. *(Amended ORD 642-Effective 07/02/18)*

- E. Area. The accessory dwelling unit shall contain the lesser of 50% of the floor area of the primary residence or 750 square feet, unless the ADU is a conversion of an existing space, in which case the ADU can exceed this maximum requirement. *(Amended ORD 642-Effective 07/02/18)*

- F. Setbacks. The ADU shall conform to the setback requirements of the primary residence in the zone in which it is located. A detached ADU located in a side yard shall be set back five (5) feet from the front building line of the primary residence. *(Amended ORD 642-Effective 07/02/18)*
- G. Any legal nonconforming structure that doesn't meet current setback requirements is permitted to contain or be converted to an ADU, as long as the development does not increase the nonconformity of the structure. *(Added ORD 642-Effective 07/02/18)*
- H. Height. The maximum height shall be 25 feet but in no case shall the height exceed the height of the primary residence.
- I. Parking. One (1) parking space, in conformance with the parking standards outlined in Section 7.2.303, is required per ADU, in addition to the parking required for the primary residence. No new access is permitted for an additional driveway for the ADU, unless the lot is located on a corner. An ADU on a corner lot may have one driveway per street frontage. Alley access for an ADU is permitted for lots located on an alley. *(Added ORD 642-Effective 07/02/18)*

7.2.403

ATTACHED DWELLING UNITS

Attached dwelling units are single family homes on individual platted lots that are attached to a similar unit on one or two sides. Where permitted as a special use, attached dwelling units shall meet the following use and development standards:

- A. Permitted development. Any number of attached dwellings may be built contiguous with one or both sides of a separate platted lot with one dwelling per lot.
- B. Setbacks
 - 1. Zero side yard units shall comply with the setback requirements for the front yard, rear yard and yard adjacent to a street in the applicable zone.
 - 2. Interior side yard requirements of the applicable zone shall be met when any part of an exterior wall faces, but is not contiguous to, a side lot line. Otherwise, the interior side yard requirements shall not apply.
- C. Building separation. Buildings on adjacent properties, but not attached to each other, shall be separated by a distance of at least ten feet.
- D. Accessory buildings. The provisions of this section apply to accessory as well as main buildings.

SECTION 4:

System Development Charges

Effective June 1, 2018

ORD 626 Adopted June 1, 2015

Meter Size	Total Water SDC	Total Sewer SDC	Total Streets/Storm SDC	Total Parks SDC	Total SDC's
5/8 – 3/4	4,242	7,564	1,125	100	13,031
1"	7,213	12,859	1,496	133	21,701
1 - 1/2"	14,001	24,962	2,250	200	41,413
2"	22,487	40,091	3,000	266	65,844
3:	45,398	80,937	4,500	400	131,235
4"	70,854	126,323	6,000	532	203,709
6"	141,284	251,889	9,000	800	402,973
8"	339,421	605,139	12,000	1,064	957,624

Meter Size	Water Reimb Fee	Water Improv Fee	Sewer Reimb Fee	Sewer Improv Fee	Street Storm Reimb Fee	Street Storm Imprv Fee	Parks Reimb Fee	Parks Improv Fee	Total Reimb Fee	Total Improv Fee
5/8 – 3/4	1,213	3,029	33	7,531	392	734	18	82	1,651	10,317
1"	2,063	5,150	56	12,803	521	975	24	109	2,654	17,004
1 - 1/2"	4,004	9,997	109	24,853	783	1,467	36	164	4,913	32,532
2"	6,431	16,056	175	39,915	1,044	1,956	48	218	7,668	51,801
3"	12,983	32,415	353	80,584	1,566	2,934	72	328	14,913	103,458
4"	20,263	50,591	551	125,771	2,088	3,912	96	436	22,902	160,678
6"	40,405	100,879	1,099	250,790	3,132	5,868	145	655	44,590	318,245
8"	97,069	242,352	2,641	602,497	4,176	7,824	193	871	103,618	757,493

**GUIDANCE ON IMPLEMENTING
THE ACCESSORY DWELLING UNITS (ADU) REQUIREMENT
UNDER OREGON SENATE BILL 1051**



*M. Klepinger's backyard detached ADU, Richmond neighborhood, Portland, OR.
(Photo courtesy of Ellen Bassett and accessorydwellings.org.)*

OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

MARCH 2018



Oregon Department of
Land Conservation
and Development

Introduction

As housing prices in Oregon go up, outpacing employment and wage growth, the availability of affordable housing is decreasing in cities throughout the state. While Oregon's population continues to expand, the supply of housing, already impacted by less building during the recession, has not kept up. To address the lack of housing supply, House Speaker Tina Kotek introduced House Bill 2007 during the 2017 legislative session to, as she stated, "remove barriers to development." Through the legislative process, legislators placed much of the content of House Bill 2007 into Senate Bill 1051, which then passed, and was signed into law by Governor Brown on August 15, 2017. In addition, a scrivener's error¹ was corrected through the passage of HB 4031 in 2018.

Among the provisions of SB 1051 and HB 4031 is the requirement that cities and counties of a certain population allow accessory dwelling units (ADUs) as described below:

- a) *A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.*
- b) *As used in this subsection, "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.*

This new requirement becomes effective on July 1, 2018 and subject cities and counties must accept applications for ADUs inside urban growth boundaries (UGBs) starting July 1, 2018. Many local governments in Oregon already have ADU regulations that meet the requirements of SB 1051, however, some do not. Still others have regulations that, given the overall legislative direction to encourage the construction of ADUs to meet the housing needs of Oregon's cities, are not "reasonable." The Oregon Department of Land Conservation and Development (DLCD) is issuing this guidance and model code language to help local governments comply with the legislation. The model code language is included on its own page at the end of this document.

¹ *The scrivener's error in SB 1051 removed the words "within the urban growth boundary." HB 4031 added the words into statute and thus limited the siting of ADUs to within UGBs.*

Guidance by Topic

The purpose of the following guidance is to help cities and counties implement the ADU requirement in a manner that meets the letter and spirit of the law: to create more housing in Oregon by removing barriers to development.

Number of Units

The law requires subject cities and counties to allow “at least one accessory dwelling unit for each detached single-family dwelling.” While local governments must allow one ADU where required, DLCD encourages them to consider allowing two units. For example, a city or county could allow one detached ADU and allow another as an attached or interior unit (such as a basement conversion). Because ADUs blend in well with single-family neighborhoods, allowing two units can help increase housing supply while not having a significant visual impact. Vancouver, BC is a successful example of such an approach.

Siting Standards

In order to simplify standards and not create barriers to development of ADUs, DLCD recommends applying the same or less restrictive development standards to ADUs as those for other accessory buildings. Typically that would mean that an ADU could be developed on any legal lot or parcel as long as it met the required setbacks and lot coverage limits; local governments should not mandate a minimum lot size for ADUs. So that lot coverage requirements do not preclude ADUs from being built on smaller lots, local governments should review their lot coverage standards to make sure they don’t create a barrier to development. To address storm water concerns, consider limits to impermeable surfaces rather than simply coverage by structures.

In addition, any legal nonconforming structure (such as a house or outbuilding that doesn’t meet current setback requirements) should be allowed to contain, or be converted to, an ADU as long as the development does not increase the nonconformity.

Design Standards

Any design standards required of ADUs must be clear and objective (ORS 197.307[4]). Clear and objective standards do not contain words like “compatible” or “character.” With the exception of ADUs that are in historic districts and must follow the historic district regulations, DLCD does not recommend any special design standards for ADUs. Requirements that ADUs match the materials, roof pitch, windows, etc. of the primary dwelling can create additional barriers to development and sometimes backfire if the design and materials of the proposed

ADU would have been of superior quality to those of the primary dwelling, had they been allowed.

Parking

Requiring off-street parking is one of the biggest barriers to developing ADUs and it is recommended that jurisdictions not include an off-street parking requirement in their ADU standards. Adding off-street parking on many properties, especially in older centrally-located areas where more housing should be encouraged, is often either very expensive or physically impossible. In addition, when adding an additional off-street parking space requires a new or widened curb cut, it removes existing on-street parking, resulting in no net gain of parking supply. As an alternative to requiring off-street parking for ADUs, local governments can implement a residential parking district if there is an on-street parking supply shortage. For more help on parking issues, visit www.oregon.gov/lcd/tgm/pages/parking.aspx or contact DLCD.

Owner Occupancy

Owner-occupancy requirements, in which the property owner is required to live on the property in either the primary or accessory dwelling unit, are difficult to enforce and not recommended. They may be a barrier to property owners constructing ADUs, but will more likely simply be ignored and constitute an on-going enforcement headache for local governments.

Public Utilities

Development codes that require ADUs to have separate sewer and water connections create barriers to building ADUs. In some cases, a property owner may want to provide separate connections, but in other cases doing so may be prohibitively expensive.

System Development Charges (SDCs)

While SDCs are not part of the development code and SB 1051 does not require them to be updated, local governments should consider revising their SDCs to match the true impact of ADUs in order to remove barriers to their development. ADUs are generally able to house fewer people than average single-family dwellings, so their fiscal impact would be expected to be less than a single-family dwelling. Accordingly, it makes sense that they should be charged lower SDCs than primary detached single-family dwellings.



**Yamhill County Sheriff's Office
Crime Summary for DAYTON
From 9/1/2018 to 9/30/2018**

City	UCR Description	9/1/2017 to 9/30/2017	9/1/2018 to 9/30/2018	Percentage Change	YTD	Prior Year
DAYTON						
Part 1						
	Aggravated Assault	1	0		2	3
	Arson	0	0		1	1
	Burglary-Business	0	1		6	2
	Burglary-Non-Residence	2	0		5	7
	Burglary-Residence	1	0		6	5
	Larceny	7	1	-85.71 %	47	56
	Motor Vehicle Theft-Auto	2	0		9	12
	Rape	0	1		2	1
	Robbery	1	0			2
	Part 1 Total	14	3	-78.57 %	78	89
Part 2						
	All Other	1	1		6	6
	Animal Problems	0	0		1	1
	Curfew	0	0		1	1
	Disorderly Conduct	0	1		12	15
	Drug Laws	3	3		15	17
	DUII	0	2		10	6
	Family Offenses	0	0			1
	Forgery	0	0		3	2
	Fraud	0	0		7	6
	Kidnapping	0	0			1
	Liquor Laws	0	1		4	3
	Runaway	0	0		2	4
	Sex Offenses	0	0		4	6
	Simple Assault	3	4	33.33 %	24	29
	Stolen Property	1	0		5	3
	Trespass/Prowler	2	2		10	17
	Vandalism	5	2	-60.00 %	33	29
	Total For DAYTON	51	34	-33.33 %	401	472

Report run date: 10/7/2018



**Yamhill County Sheriff's Office
Crime Summary for DAYTON
From 9/1/2018 to 9/30/2018**

City	UCR Description	9/1/2017 to 9/30/2017	9/1/2018 to 9/30/2018	Percentage Change	YTD	Prior Year
DAYTON						
	Weapons	0	0		3	2
Part 2 Total		15	16	6.25 %	140	149
Part 3						
	All Other	6	5	-16.67 %	66	65
	Non-Reportable Offenses	16	10	-37.50 %	117	169
Part 3 Total		22	15	-31.82 %	183	234
Total For DAYTON		51	34	-33.33 %	401	472