

ORDINANCE NO. 2264

AN ORDINANCE AMENDING SECTION 157.210 OF THE HERMISTON CODE OF ORDINANCES TO MATCH OREGON ADMINISTRATIVE RULES FOR PROVISION OF OPEN SPACE AT NURSERY SCHOOLS.

Whereas, the open space requirement for nursery schools in Section 157.210 is 100 square feet of outdoor play area per child and the Oregon Department of Education, Early Learning Division, has a different requirement;

Whereas, the open space requirement for nursery schools in Section 157.210 should match the open space requirement as adopted by the Oregon Department of Education for purposes of conformity and uniformity; now, therefore,

THE CITY OF HERMISTON ORDAINS AS FOLLOWS:

(New language is in **bold** and language to be deleted in [*brackets and italics*].)

SECTION 1. Subsection (1) of Subsection (D) of Section 157.210 of the Hermiston Code of Ordinances is amended to read:

(1) Nursery schools shall provide and maintain at least [*100 square feet of outdoor play area per child*] **enough open space for children that meets the requirements for certified child care centers by the Early Learning Division of the Oregon Department of Education (See OAR 414-300-0150)**. A sight-obscuring fence at least four feet but not more than six feet high shall separate the play area from abutting lots.

SECTION 2. The findings of fact as adopted by the city council on September 24, 2018 are incorporated herein by reference.

SECTION 3. The effective date of this ordinance shall be thirty days after enactment.

PASSED by the Common Council this 24th day of September, 2018.

SIGNED by the Mayor this 24th day of September, 2018.

MAYOR

ATTEST:

CITY RECORDER