

ORDINANCE NO. 90-O-190.A

AN ORDINANCE AMENDING ORDINANCE NO. 60-O-190, SECTION NO. 10 OF THE CITY OF BROOKINGS.

Whereas, the city council of the city of Brookings wishes to re-establish service to those properties which have previously received water service during the past five years; and

Whereas, the city council feels that the reconnection of water service outside the Urban Growth Boundary does not constitute an extension of service in conflict with land use guidelines; and

Whereas, Resolution No. 88-R-441 sets up reasonable charges to operate and maintain the system equitably to all users who will benefit from these service and the council recognizes that the basic charge is applicable from the date of enactment of Resolution No. 89-R-463, adopted September 11, 1989, until reconnection, so that current users are not charged to make water available to those who have not supported the construction of the system; and

Whereas, the Systems Development Fees are applicable since no known existing residence's water service was discontinued.

Sections:

- Section 1. Amendment to Section 10.**
- Section 2. Severability.**

The city of Brookings ordains as follows:

Section 1. Amendment to Section 10. Section No. 10 of Ordinance No. 60-O-190 is hereby amended by the addition of Subsection E, as follows:

Section 10. Water Outside City Limits:

E. Those individual properties which have previously received water service from the city of Brookings and can document that use to the sole satisfaction of the city manager or his/her designate, may be reconnected for an individual single family residence. The previous customer (property) must have been served with water during the five (5) years immediately preceding enactment of this ordinance amendment, and all such reconnections shall be accomplished by the end of January, 1992. All reconnections are subject to:

1. All charges must be paid in accordance with charges established by Resolution No. 88-R-441; fees due from the time of enactment of Resolution No. 89-R-463, adopted September 11, 1989, until the time of reconnection.

2. The applicant will sign a Consent to Annex, a Waiver of Time Limit and a Deferred Improvement Agreement, and will pay the cost to file those documents with Curry County.

3. Systems Development Fees will be paid prior to reconnection.

4. All other applicable fees will be paid before reconnection.

Section 2. Severability. If any provision, part or parts of this ordinance shall be held to be unconstitutional, invalid, or otherwise inoperative, such invalidity shall not affect other provisions hereof which can be given effect without the invalid provision, the remainder hereof shall remain in full force and effect as a valid and subsisting ordinance until repealed and to this end the provisions of this ordinance are declared to be severable.

First Reading: February 26, 1990

Second Reading: February 26, 1990

Passage: February 26, 1990

Effective Date: March 28, 1990


Passed by vote of the Council, with a quorum in attendance, this 26th day of February, 1990.

Signed by me in authentication of its passage this 26th day of February, 1990.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder

FH/BSS/dmvm