

## RESOLUTION NO. 464

### **A RESOLUTION WAIVING SEWER CONNECTION FEES FOR LYLE L. AND JOYCE R. READ FOR THEIR PROPERTY LOCATED AT 588 N. JUNIPER STREET, CANBY, OREGON.**

WHEREAS, Ordinance No. 835, the sewer ordinance for the City of Canby, provides that any dwelling that is on property abutting any street in which there is a sanitary sewer, shall be required to connect to the sewer and pay a sewer connection fee therefore, unless lesser charges for such dwelling are enacted by resolution of the City Council; and

WHEREAS, following a hearing before the City Council on November 21, 1990, and on December 5, 1990, the Canby City Council made the following findings based upon the testimony of City Staff and Lyle L. Read:

1. In 1959 when the house was built the present sewer was installed by the City but due to the basement and the level of the sewer line, the house could not be connected;
2. In 1976 the Read's were requested to hook up to the sewer, however, Ken Ferguson, City Engineer inspected the property and told them that it was not possible to hook up to the system because of the lack of depth of the main sewer line;
3. The Read's were required to start paying the monthly sewer fee at that time even though they could not use the system; and
4. Mr. Read said that he has paid approximately \$1,046 throughout the years for a sewer line that he could not use.

NOW THEREFORE, IT IS HEREBY RESOLVED that based upon a finding of the above extraordinary circumstances, the sewer connection fee for Lyle L. and Joyce R. Read of 588 N. Juniper Street, Canby, Oregon is waived in its entirety.

BE IT FURTHER RESOLVED that the approved waiver of the sewer connection fee shall be effective for one calendar year beginning at the approval of this resolution.

ADOPTED this 2nd day of January, 1991, by the Canby City Council.



Shawn P. Carroll, Mayor

ATTEST:



Marilyn K. Perkett, City Recorder