

ORDINANCE NO. 492

AN ORDINANCE RELATING TO THE EXTENSIONS OF SEWER AND WATER MAINS; AND PROVIDING FOR THE REFUNDING OF COSTS.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: If any person agrees to pay the costs of extending a sewer or water main or lateral line to serve his property, and the extension of such line would be adjacent to property other than his own so that sewer or water service for either commercial, industrial or domestic use is provided for such other property without further extension of the lines, the City of Canby shall require the owners of the other property, prior to providing sewer or water service to such other property, to refund to the person required to pay the costs of extending the sewer or water lines a prorata portion of the cost of the extension. The right of the City to require such refund shall not continue for more than ten (10) years after the date of installation of the extension of the sewer or water line. The amount to be refunded shall be determined by the Canby City Council, and such determination shall be final.

Section 2: Any person who undertakes to pay the costs of extending a sewer or water service line which when extended will be adjacent to property other than his own, shall first file with the Canby City Recorder a description and map outlining the improvement area showing the adjacent properties served from the extension of such line. The City Recorder shall make a copy thereof and deliver it to the City Superintendent, who shall then inspect the site of the proposed extension and report in writing to the City Recorder whether or not the extension is feasible, desirable and necessary for the orderly development and expansion of the City's water distribution and sewage collection system.

Should it be determined by the City Superintendent that it is not economically feasible or practical from an engineering

study and investigation, the City Recorder shall report such facts to the person who filed the petition and return the description and map to be revised or corrected. When the area to be served is found to be feasible and desirable for the orderly development and expansion of the City's water or sewer system, the City Superintendent shall prepare or cause to be prepared all necessary plans and specifications for the proposed project.

Section 3: Upon approval of the application for the extension of the sewer or water lines and the preparation of the plans and specifications for the work project, the applicant shall pay to the City Recorder the total estimated costs of the project; whereupon the City Recorder shall advertise in the Canby Herald once a week for two successive weeks for sealed bid proposals for construction of the improvement project. The bid proposals shall be publicly opened at either a regular or special meeting of the Canby City Council held at least ten (10) days after the first publication for bids. The City Council may waive any irregularity in bidding procedures, reject any or all bids, or award a contract to the bidder who in the opinion of the City Council is best qualified to undertake and perform fully in a satisfactory manner the public improvements which are to be constructed. If there are not any bidders or if all bids are rejected, the City Council may direct the work to be completed by the City's work force, but in any event, the City Council shall confer with the applicant before awarding any contract or before deciding to perform the work by City work force.

Section 4: Any sewer or water line extension project shall be done under the supervision and direction of the City Superintendent and in accordance with existing Ordinances of the City relating to such matters; and the successful bidder for any such work contract shall furnish to the City of Canby a performance and street restoration bond issued by a corporate surety in an


amount and form as may be approved by the City Superintendent.

Section 5: All Ordinances, or parts of Ordinances, in conflict herewith shall be and they are hereby repealed.

Passed on first reading at a regular meeting of the Canby City Council held on the 5TH day of SEPTEMBER, 1967; ordered posted in three public and conspicuous places in the City of Canby for a period of two full calendar weeks as provided by the Canby City Charter, and to come up for final reading and action of the Canby City Council at a regular meeting thereof on Monday, the 2ND day of OCTOBER, 1967, at 8:00 o'clock P.m., , at the Canby City Hall.


LAWRENCE J. HOUSEN - Mayor

ATTEST:

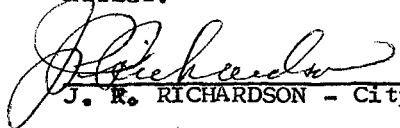

J. R. RICHARDSON - City Recorder

Passed on second and final reading at a regular meeting of the Canby City Council held on the 2ND day of OCTOBER, 1967, by the following vote: Yeas 6. Nays 0.

Approved by the Mayor for the City of Canby this 8TH day of NOVEMBER, 1967.


LAWRENCE J. HOUSEN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder