

ORDINANCE NO. 541

AN ORDINANCE RELATING TO THE PAYMENT OF COSTS FOR PROPOSED ANNEXATIONS AND BOUNDARY CHANGES.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Definition of terms:

- a. "Application" includes a petition or any other form of initiatory action for an annexation or boundary change.
- b. "Boundary change" means a major or minor boundary change.
- c. "Boundary change procedure" means the procedure defined and required by Oregon Revised Statutes 199.460 to 199.540, inclusive.
- d. "Boundary Commission" or "Commission" refers to the local boundary commission created by Oregon Revised Statutes 199.425.
- e. "City Council" or "Council" refers to the City Council of the City of Canby, Clackamas County, Oregon.

Section 2: Any applicant for a boundary change for the City of Canby, Clackamas County, Oregon, including proposed annexations, shall assume and pay or cause to be paid the City's actual costs of the boundary change procedure, including though not exclusively, the costs of title reports, maps, aerial photos, engineering studies and surveys if required by the Council, filing fees assessed by the Boundary Commission, publication costs for required notices, attorney fees and legal expenses and all costs of special elections if called by a referendum of the voters of the City, and the City's costs of any appeal from any final Order of the Boundary Commission.

Section 3: Each applicant for a boundary change shall pay to the City Recorder with the filing of the application the sum of \$250.00 cash to apply on such costs and any additional amount which the City Council may determine reasonably necessary to fully pay all such costs. Upon the conclusion of the matter and prior to the entry of the final Order by the Boundary Commission, the balance, if any, of such costs shall be paid in full without interest, and any overage shall be remitted to the applicant without interest.


Section 4: The City's costs for boundary changes shall be assumed and paid by the applicant and notwithstanding the fact that the application is withdrawn by the applicant, denied by the Boundary Commission or by a Court on appeal or opposed by the City Council.

Section 5: The provisions of this Ordinance shall not apply to boundary changes initiated by the Boundary Commission, the Canby City Planning Commission or on the Council's own motion.

Passed on first reading at a regular meeting of the Canby City Council held on the 7th day of June, 1971; ordered posted in three (3) public and conspicuous places in the City of Canby for a period of five (5) consecutive days as required by the Canby City Charter, and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on the 6th day of July, 1971, at the hour of 8:00 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall.


WERNER DINTEMAN - Mayor


ATTEST:


J. R. RICHARDSON - City Recorder

Passed on final reading by the Canby City Council at a regular meeting thereof held on the 6th day of July, 1971, by the following vote: Yeas 6. Nays 0.


WERNER DINTEMAN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder