

ORDINANCE NO. 601

AN ORDINANCE TO PROVIDE FOR THE DEFERRAL OF SPECIAL ASSESSMENTS FOR STREET, CURB AND GUTTER AND RELATED IMPROVEMENTS WHERE THE PROPERTY OWNER IS A SENIOR CITIZEN AS DEFINED HEREIN AND OTHERWISE QUALIFIES PURSUANT TO THIS ORDINANCE; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION 1: Purpose. The purpose of this Ordinance is to permit qualified senior citizens to have deferred the special assessments that may be levied against their residences for street, curb and gutter and related improvements.

SECTION 2: Senior Citizen Defined. A senior citizen is one who is sixty-five (65) years of age or more on or before the first day of January of the year in which the assessment in question is to be levied.

SECTION 3: Qualification of Senior Citizens. To qualify for this senior citizens assessment deferral program:

(a) The property to be assessed must be owned by a senior citizen or if owned by a husband and wife then only one of them needs to be a senior citizen;

(b) The property to be assessed must be the residence of the senior citizen;

(c) The senior citizen shall have an income not to exceed Thirty-six Hundred Dollars (\$3600.00), and if he is married then their joint income shall not exceed Forty-one Hundred Dollars (\$4100.00), and further not to exceed an in-

crease of more than Four Hundred Dollars (\$400.00) for each additional dependent that is living with them during the calendar year preceeding the one in which the assessment is to be levied.

SECTION 4: Deferral of Assessment. To the extent that funds are conveniently available to the City, a qualified senior citizen may choose to have deferred the special assessment for street, curb and gutter and related improvements that is to be levied against his residence. Such assessment shall bear interest at the rate of seven percent (7%) per annum from the date that it is levied against the residence, and until paid and shall become due when the property ceases to be the residence of the senior citizen or his spouse. This may be by reason of the sale or rental of the property or the death of both the senior citizen and his spouse or for any other reason whatsoever.

SECTION 5: Investigation of Status of Land. As frequently as appears appropriate, the staff shall review the County records relating to deferred special assessments and shall also make such investigations as appear appropriate to learn of any other material changes in the status of the subject land.

SECTION 6: Assessment to be a Lien. Any special assessment that is deferred by the terms of this Ordinance shall become a lien on the land just as though this Ordinance had not been adopted. When such assessment becomes due by the terms of Section 4 of this Ordinance, it may be enforced and collected as provided in state law for the collection of assessments or by any other means provided by law.

SECTION 7: Election. A qualified senior citizen who elects to have a special assessment deferred pursuant to the provisions of this Ordinance, shall enter into a Contract to be prepared by the City Attorney. The ten percent (10%) interest rate chargeable for docketed assessment liens according to the provisions of Sections 11 and 12 of Ordinance No. 393 as amended by Ordinance No. 598 enacted January 5, 1976, shall not apply to a special assessment deferred for a senior citizen who has entered into an ASSESSMENT DEFERRAL AGREEMENT with the City.

SECTION 8: Emergency Clause. Inasmuch as it is deemed necessary for the public health, peace and safety of the citizens of the City of Canby, that the provisions of this Ordinance shall be immediately operative, it is hereby declared that an emergency exists and this Ordinance shall be in full force and effect from and after its final passage by the Council.

Passed on first reading at a regular meeting of the Canby City Council on the 5th day of January, 1976; ordered posted in three (3) public and conspicuous places in the City of Canby for a period of two (2) full calendar weeks 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 2nd day of February, 1976, at the hour of 8:00 o'clock P.M. at the Canby City Hall.



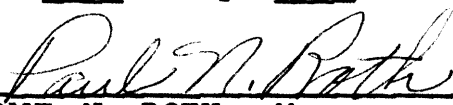
PAUL N. ROTH - Mayor

ATTEST:



HAROLD A. WYMAN - City Recorder

Passed on second and final reading at a regular meeting
of the Canby City Council held on the 2nd day of February,
1976, by the following vote: Yeas 4. Nays 2.



PAUL N. ROTH - Mayor

ATTEST:



HAROLD A. WYMAN - City Recorder