

ORDINANCE NO. 808

AN ORDINANCE REPEALING AND AMENDING PROVISIONS OF THE CANBY MUNICIPAL CODE RELATING TO ANNEXATION AND BOUNDARY CHANGES AND FEES; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby has for some years charged a fee for all property annexed into the City; and

WHEREAS, the City has determined that the continuation of this fee is detrimental to the continued growth and economic prosperity of the community.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Sections 2.40.060, 2.40.070, 2.40.80, and 2.40.100, of the Canby Municipal Code, enacted in 1983, are hereby repealed in their entirety.

Section 2. Section 2.40.090 of the Canby Municipal Code is hereby amended as follows:

2.40.090 Enforcement

A. The recorder of the City may use such means of collection as may be provided by the laws of the state or permitted by the charter and ordinances of the City and including, though not exclusively, a suit to foreclose liens as provided by Oregon Revised Statutes Chapter 88.

b. If a court suit or action is instituted to collect the City's administrative costs or the boundary change deposit fee, the City shall be entitled to collect, in addition to costs and disbursements as provided by statute, such additional sums as any court, including any appellate court may adjudge reasonable as attorneys fees in such suit or action.

Section 3. Section 2.40.110 of the Canby Municipal Code is hereby amended to read as follows:

2.40.110 Public Service and Utility Priority.

If at any time the City's ability to provide services is limited for any reason, priority for available service shall be given to developments having the legal and financial ability to connect to existing City service facilities.

Section 4. An emergency is hereby declared inasmuch as it is necessary to promote immediate annexation for the growth, economic prosperity, and general welfare of the citizens of Canby; and this ordinance shall take effect immediately after final reading and enactment by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on August 19, 1987; ordered posted as required by the Canby City Charter and scheduled for second reading on, Wednesday, September 2, 1987, commencing at the hour of 7:30 p.m., at the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.



Marilyn K. Berkett, City Recorder

PASSED on final reading by the Canby City Council at a regular meeting thereof held on the 2nd day of September, 1987, by the following vote:

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William F. Pulver, Mayor

ATTEST:


Stephan A. Lashbrook, City Administrator