

ORDINANCE NO. 525-0

AN ORDINANCE ESTABLISHING THE METHODS AND PROCEDURES FOR EXTRA-TERRITORIAL WATER OR SEWER EXTENSION SERVICE AND AMENDING ORDINANCE NO. 279 AND REPEALING ORDINANCE NO. 304.

WHEREAS, ORS 199.464 establishes the law under which extra-territorial water and sewer services can be provided; and

WHEREAS, Said statute specifically prohibits the extension of services without the approval of the Boundary Commission; and

WHEREAS, City Ordinance No. 279 contains conflicting provisions and Ordinance No. 304 is in total conflict with ORS 199.464; and

WHEREAS, The Common Council of the City of Troutdale may decide to provide service to contiguous or certain non-contiguous neighboring territories:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

1. The Common Council of the City of Troutdale shall, by resolution, forward any requests for extra-territorial water or sewer service to the Boundary Commission by way of established process.
2. All costs for City staff, public notices, Boundary Commission filing fees, et cetera, shall be borne by the party requesting the extra-territorial service unless specifically waived by the Council.
3. Extra-territorial "temporary" service may be authorized by the City Administrator or designee for agricultural irrigation emergencies, construction needs or to meet a pressing public emergency or health need within the general guidelines established by ORS 199.464 or revisions thereto, and/or the procedures of the Metropolitan area Boundary Commission. The rates for this temporary service shall be in accordance with the current City rate resolution and services provided shall be metered or estimated in accordance with standard City procedures.
4. If any clause, sentence, paragraph, section or portion of this ordinance, for any reason, shall be adjudicated invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this ordinance, but shall be confirmed in its operation to the clause, sentence, paragraph, section or portion of this ordinance directly involved in the controversy in which the judgment is rendered.


5. Ordinance No. 279, Section 4 (Service Area) shall be amended to read "the area served by the water division shall be that area within the corporate city limits of the City of Troutdale, and such other territory as the Common Council from time to time may determine to serve in accordance with ORS 199.464."
6. Ordinance No. 304 passed on October 9, 1979 is hereby repealed.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
23RD DAY OF MAY, 1989.

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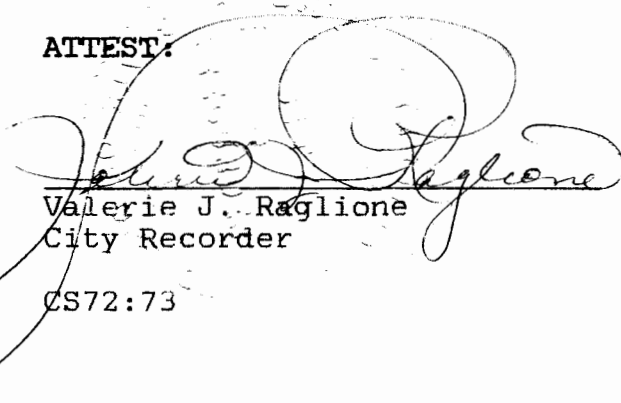
ABSTAINED 0



Sam K. Cox, Mayor

Date Signed: 5/29/89

ATTEST:



Valerie J. Raglione
City Recorder

CS72:73