

# ORDINANCE NO. 755

## AN ORDINANCE CLARIFYING THE REIMBURSEMENT DISTRICT COST ASSESSMENT PROCESS AND AMENDING CHAPTER 12.08 OF THE TROUTDALE MUNICIPAL CODE

### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Section 12.08.240 of the Troutdale Municipal Code provides for the assessment of costs in a reimbursement district.
2. A recent reimbursement district application to the City Council revealed the need for clarification of the assessment process.
3. This ordinance will amend the Troutdale Municipal Code to provide the needed clarification.

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Chapter 12.08, Section 12.08.240 of the Troutdale Municipal code is hereby amended to read as follows:

#### **12.08.240 Reimbursement district assessment**

A. After the project is completed, the applicant shall submit to the City the final costs of the improvement. Only costs verified by a receipt (or an invoice along with proof of payment) containing the following will be accepted: identification of the public improvement to which the costs apply; the name, address, and telephone number of the person or firm supplying the goods or services; a description of the goods or services provided; the date or time frame in which the goods or services were provided; and the costs of the goods or services. Quotes, bids, estimates, or the like will not be accepted. Late charges or similar fees will not be accepted. As an exception to the requirement for a receipt or an invoice with proof of payment, financing costs for the period beginning no earlier than the date the reimbursement district is approved and ending no later than one year after acceptance of the public improvement may be verified by a notarized statement from an officer of the lending institution. The director shall then prepare a proposed reimbursement resolution.

B. The City shall provide mailed notice of the proposed reimbursement resolution to the applicant and all owners of property within the district. Notice shall be deemed effective on the date of mailing. Notice shall be mailed by regular mail at least 14 days before the date of the Council action on the reimbursement resolution. The notice shall

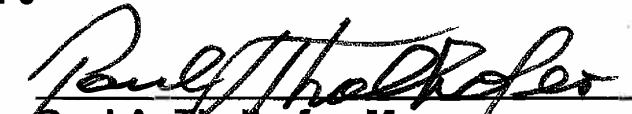
set forth the time, date, and place of the Council action. The notice shall also state the amount of the reimbursement charge proposed for each property.

C. The Director shall submit the final costs and the proposed reimbursement resolution to the Council for approval. The Council may approve the reimbursement resolution as proposed or adjust the costs if they are not deemed just and reasonable.

D. The City shall notify all property owners within the district and the applicant of the adoption of a reimbursement resolution. The notice shall include a copy of the reimbursement resolution, the date it was adopted and a short explanation of when the property owner is obligated to pay the reimbursement charge and the amount of the charge.

E. The City Recorder shall record the reimbursement resolution in the office of the County Recorder so as to provide notice to potential purchasers of property within the district. The recording shall not create a lien. Failure to make such a recording shall not affect the legality of the reimbursement resolution or the obligation to pay the reimbursement charge.

**YEAS: 7**  
**NAYS: 0**  
**ABSTAINED: 0**

  
Paul A. Thalhoffer, Mayor  
October 13, 2004  
Date

  
Debbie Stickney, City Recorder

**Adopted: October 12, 2004**