

ORDINANCE NO. 1146-A

INTRODUCED BY COMMISSIONER:

AMENDING ORDINANCE NO. 1042-A, WHICH PROVIDES FOR THE CREATION OF LIDS, TO CORRECT INCONSISTENCIES AND ERRORS

WHEREAS, certain inconsistencies and errors were noted in Ordinance No. 1042-A; and

WHEREAS, these inconsistencies and errors need to be corrected in order to proceed with Local Improvement District projects in the City of Warrenton;

NOW, THEREFORE, it is Ordained by the City of Warrenton:

Section 1. Section 2.14 of Ordinance No. 1042-A is amended to read:

2.14 “Local Improvement” is a capital construction project or a capital improvement project undertaken by the City pursuant to the procedure of forming local assessments on properties benefitted, in whole or in part, from the local improvement.

Section 2. Section 2.14.5 of Ordinance No. 1042-A is amended to read:

2.14.5 The status of a capital construction project or a capital improvement project as a local improvement is not impacted by the accrual of a general benefit to properties located outside an improvement district as opposed to the specific benefit of properties located within an improvement district.

Section 3. Section 3 of Ordinance No. 1042-A is amended to read:

SECTION 3: FORMATION: The formation of a local improvement district may be initiated by petition submitted to the City Recorder or by the City Commission on its own motion. All petitions must be submitted on forms provided by the City.

Section 4. Section 9 of Ordinance No. 1042-A is amended to read:

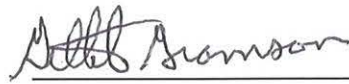
SECTION 9. ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT: After the public hearing and the time for filing remonstrance, if those persons representing at least 50% of the proposed assessment have not objected to the local improvement district, the commission may provide for the creation of the local improvement district by ordinance. This ordinance shall describe the improvement(s) to be made and the boundary of the local improvement district. The Ordinance shall also

provide that the estimated assessments against the properties benefitted shall be charges and liens against the property. The city may enforce collection of such assessments as provided by Oregon Law.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This ordinance shall be in full force and effect 30 days after its passage.

Adopted this 13th day of April, 2010.



Gilbert Gramson, Mayor

ATTEST



Linda Engbretson, City Recorder

First and Second Readings conducted 4/13/10 by unanimous vote of the City Commission.
(City Charter - Section 35(2))