

RESOLUTION TO PROVIDE SEWER SERVICE) RESOLUTION NO. 2014-33
OUTSIDE THE CITY OF LEBANON CITY LIMITS)
)

WHEREAS, the Lebanon Municipal Code provides that water and sewer service may not be extended to persons or properties which are located outside of the city limits without the permission of the city council by resolution and;

WHEREAS, the Lebanon Municipal Code provides that the city council may only grant sewer service outside the city under certain circumstances;

WHEREAS, Mark and Wendy Stanearth, are the owners of real property located outside city limits at 2240 McKinney Lane.

WHEREAS, the septic system at 2240 McKinney Lane, owned by Mark and Wendy Stanearth, has discharge that is in violation of Linn County Code (LCC) Chapter 240, Oregon Administrative Rule 340-71-130 (3), and Oregon Revised Statute 164.785; and the owners have requested permission to connect to the city's sewer system.

WHEREAS, Mark and Wendy Stanearth agree to annex the real property located at 2240 McKinney Lane within one year from the effective date of this resolution.

NOW, THEREFORE, be it resolved by the Council of the City of Lebanon as follows:

SECTION 1:

The city council hereby grants, pursuant to the provisions of Lebanon Municipal Code Section 13.04.240, that sewer service shall be extended beyond the city limits for the purpose of providing such service to Mark and Wendy Stanearth, residents of 2240 McKinney Lane, Lebanon, Linn County, Oregon because of the failure of the septic system at said location for the following reasons based upon the following findings of fact:

- A. The provision of sewer service outside the city limits is a temporary measure to alleviate a health hazard, or a potential health hazard, as the location for said service is adjacent to the existing city limits which can be expected to be annexed. The provision of the sewer service is the most cost effective method of alleviating said health hazard, and is in the best interest of the health, safety and welfare for the citizens of Lebanon and those citizens resided within the Lebanon Urban Growth Boundary.
- B. The provision of sewer service granted herein shall expire one year from the effective date of this Resolution; provided that this Resolution shall have no further effect if the property is annexed into the city limits before that time.

SECTION 2:

The requested service outside of the city limits shall be processed according to such rules and regulations which exist for customers of sewer systems, with the normally imposed charges made for such service. In addition, the permit to connect to the sewer shall not be issued until a completed annexation application is received by the city.

SECTION 3:

This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 13th day of August, 2014 by a vote of 5 yeas and 0 nays.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor

Bob Elliott, Council President

ATTESTED:



Linda Kaser, City Clerk