

**RESOLUTION TO PROVIDE SEWER SERVICE)
OUTSIDE THE CITY OF LEBANON CITY LIMITS)
)**

RESOLUTION NO. 2017-10

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; and

WHEREAS, David and Joyce Staup, are the owners of real property located outside city limits at 2245 Stoltz Hill Road; and

WHEREAS, the septic system at 2245 Stoltz Hill Road, owned by David and Joyce Staup, 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; and

WHEREAS, David and Joyce Staup agree to petition to annex the real property located at 2245 Stoltz Hill Road prior to connection to the city's sewer system.

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

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 David and Joyce Staup, owners of 2245 Stoltz Hill Road, 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:

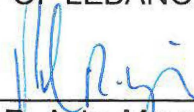
- A. The provision of sewer service outside the city limits is a temporary measure to alleviate a health hazard, or a potential health hazard, as the location for said service is adjacent to the existing city limits which can be expected to be annexed. The provision of the sewer service is the most cost 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 per 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 12th day of April, 2017 by a vote of __ yeas and __ nays.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor

Bob Elliott, Council President

ATTESTED:



Linda Kaser, City Clerk