

**A RESOLUTION TO PROVIDE SEWER SERVICE ) RESOLUTION NO. 2018-26**  
**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**, Joshua and Krista Baker, are the owners of real property located outside city limits at 725 Russell Drive.

**WHEREAS**, the septic system at 725 Russell Drive, owned by Joshua and Krista Baker, has discharge that is in violation of Linn County Code (LCC) Chapter 240, Oregon Administrative Rule 340-71-130 (3), and Oregon Revised Statue 164.785; and the owners have requested permission to connect to the city's sewer system.

**WHEREAS**, Joshua and Krista Baker agree to petition to annex the real property located at 725 Russell Drive once it becomes contiguous to city limits.

**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 Joshua and Krista Baker, owners of 725 Russell Drive, 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:

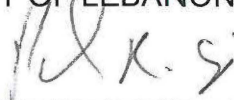
- A. The provision of sewer service outside the city limits is a temporary measure to alleviate a health hazard, or a potential health hazard, as the location for said service is in the Urban Growth Boundary and which can be expected to be annexed once contiguous to the city limits. The provision of 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; provided that this Resolution shall have no further effect if the property is annexed into the city limits.

**SECTION 2:** A 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.

**SECTION 3:** This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 27<sup>th</sup> day of June 2018 by a vote of 5 yeas and 0 nays.

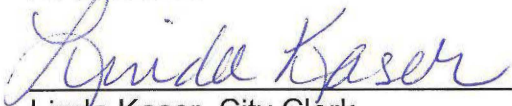
CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor

Bob Elliott, Council President

ATTESTED:



Linda Kaser, City Clerk