

A BILL FOR AN ORDINANCE PROVIDING FOR THE DEFERRAL OF THE PAYMENT OF SPECIAL ASSESSMENTS BY SENIOR CITIZENS IN CERTAIN CIRCUMSTANCES, AND DECLARING AN EMERGENCY.

ORDINANCE BILL NO. 8  
for 1975

ORDINANCE NO. 1550

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Because of the hardship imposed on senior citizens, as hereinafter defined, who have limited resources and a relatively static or fixed income, by the requirement that assessment for public improvements levied against residential property owned by them be paid in cash or in regular semi-annual installments, the City Council considers it desirable to establish a method whereby the payment of such assessments can be deferred as hereinafter provided.

Section 2. A "senior citizen" for the purposes of this ordinance is one who is sixty-five (65) years of age or more on or before the first day of January in the year in which the assessment in question is to be levied. A senior citizen for the purpose of this ordinance shall also include any person who is so physically disabled as to be unable because of such disability to earn sufficient income to support himself.

Section 3. A senior citizen living alone or as the head of a household, who is the owner of not less than an undivided one-half interest in the fee of real property as a tenant in common or by the entirety and who maintains his or her residence on real property and which said real property has been or may hereafter be assessed for its share of the costs of a public improvement initiated by the City of Lebanon, may make application to the City Administrator to defer the payment of said assessment as hereinafter provided.



Section 4. Forms for such application shall be prepared and furnished by the City Administrator. The form of application shall disclose the name and address of the applicant, the birth date of the applicant, the description of the assessed property, the amount of the unpaid assessment, the book and page of the public record in the Office of the County Clerk of Linn County, Oregon, which discloses the applicant's interest in the assessed property, a statement that the assessed property constitutes the primary residence of the applicant, the status of the applicant as sole occupant of property, or as head of a household, a statement that the applicant is retired and on a static or fixed income, and such other information as the City Administrator may require from the applicant bearing on the question of whether or not the payment of such assessment will or will not constitute such a hardship on the applicant to justify the deferral of such payment.

Section 5. The City Administrator shall review each application for deferment of the payment of assessments made under Section 4 above, and make a recommendation to the Council not later than 21 days from the receipt of such application as to whether the deferment shall be granted or denied. The Council shall accept or reject such recommendation and grant or deny such deferral. If the Council fails to act within 21 days after the receipt of the City Administrator's recommendation, the application for deferral will be deemed denied.

Section 6. If the Council grants the application for the deferment of the payment of such assessment, the effect thereof will be as follows:

(a) The applicant will not be required to make any payment of principal or interest on said assessment after the date such application is granted, except as hereinafter provided.



(b) Said assessment will continue to be a lien against the property assessed to the same extent and with like effect as in the case of other assessments for public improvements, except that payment thereof shall be deferred as provided in subsection (a) above.

Section 7. The deferral of the payment of said assessment shall continue from the date it is granted until the happening of any of the following events:

(a) The disposal of the property subject to the assessment by the applicant by sale, gift or otherwise.

(b) The abandonment or relinquishment or non-occupancy of the property subject to the assessment by the applicant as his or her primary residence; or

(c) The death of the applicant.

Section 8. Until the happening of any of the events set forth in Section 7 of this ordinance, no proceedings will be instituted by the City to foreclose such assessment or any part thereof.

Section 9. Notwithstanding any other provision of this ordinance to the contrary, the Council shall have the right to deny any application for the deferment of the payment of an assessment for a public improvement for any reason whatsoever.

Section 10. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.



Passed by the Council and approved by the Mayor this 8th day of  
April, 1975.

M. Scroggin Gonzalez  
Mayor

ATTEST:

Robert E. Tom  
Recorder