

A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. 7
CHAPTER 12.04 OF THE LEBANON) for 1984
MUNICIPAL CODE, AND DECLARING)
AN EMERGENCY.) ORDINANCE NO. 1931

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Chapter 12.04 of the Lebanon Municipal Code is hereby amended to add at the end of Article III, the following:

ARTICLE IV. Segregation of Bonded Assessments

12.04.900 Intent. The intent of Article IV shall be to specifically establish a method of segregating an existing bonded assessment on a property at the time the property is undergoing a legally executed minor land partition, major land partition, or subdivision.

12.04.910 Eligibility. The owner of any property assessed for local improvements and said assessment has been bonded and entered in the bond lien docket as authorized by Lebanon Municipal Code 12.04.220 may apply to the Lebanon City Council an application for rebonding the original assessment in the amount due and unpaid thereon. If there is more than one assessment on the same piece of property, the owner shall make a separate application for each assessment.

12.04.920 Application. The application requesting a segregation of assessments shall be prepared and furnished by the City of Lebanon. The form of application shall contain:

- A. Name and address of the property owner.
- B. Description of the property originally assessed.
- C. Bonded assessments remaining principle.
- D. Interest due on the assessment as of the first of the following month.
- E. Name of original assessment district.
- F. Docket number and account number of bonded assessments.
- G. Description of each parcel to be created and assessed.
- H. Proposed distribution of the assessment to each parcel.

And such other information as the City may require from the applicant bearing on the question of segregation of the assessment.

Accompanying the application shall be a drawing of the proposed minor land partition, major land partition or subdivision and an application for Bancroft financing for each parcel in the same form as current bonding applications.

12.04.930 Fee Deposit. The City shall obtain from the applicant, in addition to the application, the sum of Fifty and no/100 Dollars (\$50.00) to cover expenses of the City in consideration of this application.

12.04.940 Amount and Method of Segregation, Exceptions.

The segregation shall be based upon the special and peculiar benefit of the improvement to the respective lots at the time of the original making of the assessment. The segregation shall:

- A. Be limited to property embraced in the original assessment.
- B. Include the total assessment remaining upon the property.
- C. Not include an assessment upon property which is destined to become public property or Right-of-Way.
- D. Not include an assessment upon property which, because of its size, topography or other unusual features, makes it unsuitable for immediate development.

No application for segregation shall be granted unless all taxes owing for any prior year have been fully paid and evidence of such payment satisfactory to the City is produced at the time of making the application.

No application for segregation shall be granted if payments on the bonded assessment is in arrears.

No application for segregation shall be granted if any non-bonded assessments against the property is outstanding.

12.04.950 Granting and Denying. The City Council shall consider the application for segregation and shall grant, deny or amend such application. When the Council has determined that the application meets all criteria contained in Sections 12.04.900 through 12.04.940, then it shall pass an ordinance setting out and making the segregation.

12.04.960 Lien Docket Entry. When the segregation is duly made it shall be entered in the bond lien docket. All provisions for bonding and paying by installments shall be applicable, and such city liens shall be enforced and collected in the manner provided for collection of liens for the original improvement.

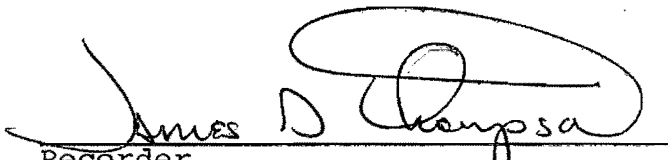
Section 2. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health, and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council by a vote of 6 for and 0 against, and approved by the Mayor this 23rd day of May, 1984.



Mayor

ATTEST:



Recorder