

A BILL FOR AN ORDINANCE AMENDING
CHAPTER 12.04 OF THE LEBANON
MUNICIPAL CODE, AND DECLARING
AN EMERGENCY.

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ORDINANCE BILL NO. 8
for 1984

ORDINANCE NO. 1932

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Chapter 12.04 of the Lebanon Municipal Code is hereby amended to add the following:

12.04.094 Pre-Assessment. The Council may levy an assessment prior to construction of the local improvement as provided herein. When the estimated cost of a local improvement has been ascertained on the basis of the City Engineer's estimate of costs, the award of contract or any other basis acceptable to the Council, the City Engineer shall prepare the proposed assessment roll for the lots within the Local Improvement District and shall file it in the office of the City Recorder and submit it to the Council.

Notice of the proposed assessment shall be given in accordance with Section 12.04.170 and 12.04.180 of the Lebanon Municipal Code. The proposed assessment roll shall be considered by the Council and processed by staff in accordance with the procedures described in Section 12.04.190 through 12.04.250 of the Lebanon Municipal Code.

12.04.095 Pre-Assessment Initiation Alternative. Nothing in the preceding section should prevent the initiation of the pre-assessment proceedings from being combined with the proceedings establishing the Local Improvement District (sections 12.04.030 thru 12.04.100). The Preliminary Engineer's Report, notices to owners to be assessed and all other notices shall state the intention that pre-assessment will be used. The ordinance creating the Local Improvement District may also set the

proposed assessment roll providing for the pre-assessment of benefitted properties.

12.04.096 Adjustment for Final Costs. If the initial assessment has been made on the basis of estimated cost and, upon completion of the improvement, the actual cost is found to be greater than the estimated cost, the Council may make a definite or supplemental assessment for the additional cost.


Proposed assessments upon the respective lots within the Local Improvement District for the proportionate share of the deficit shall be made, notices sent, a public hearing held and opportunity for objections considered, and determination of the assessment against each particular lot, block or parcel or land shall be made as in the case of the initial assessment; and the deficit or supplemental assessment shall be entered in the city lien docket, notices published and mailed and the collection of the assessment made in accordance with the provisions of this ordinance relating to the original assessment.

If assessments have been made on the basis of estimated cost and, upon completion of the improvement project, the cost is found to be less than the estimated cost, the Council shall ascertain and declare the same by ordinance; and when so declared, the excess amounts shall be entered on the city lien docket as a credit upon the appropriate assessment. Thereafter, the person who paid the original assessment, or his legal representative or successor, shall be entitled to repayment of the excess amounts. If the property owner has filed an application to pay the assessment by installment, he shall be entitled to refile an application to pay the adjusted assessment by installment. If the property owner has neither paid such assessment nor filed an application to pay in installments, the

amount of such refund shall be deducted from such assessment, and the remainder shall remain a lien on such property until legally satisfied.

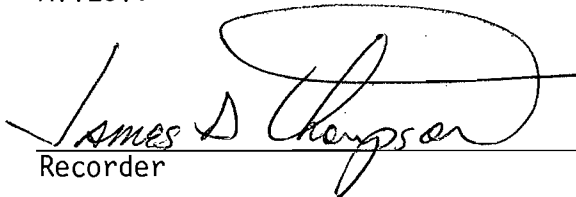
Section 2. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the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

Passed by the Council by a vote of 5 for and 0 against, and approved by the Mayor this 27th day of June, 1984.



Mayor

ATTEST:



Recorder