

A BILL FOR AN ORDINANCE ESTABLISHING PROCEDURES FOR THE CREATION OF AN ECONOMIC IMPROVEMENT DISTRICT) **ORDINANCE BILL NO. 2**
) **for 1997**
) **ORDINANCE NO. 2197**

WHEREAS, ORS 223.112 - ORS 223.161 grants authority to cities to establish procedures for the creation of an economic improvement district; and

WHEREAS, such economic improvement districts are found by the City Council to be valuable tools in the promotion of commercial activities and the economic well-being of the City as a whole;

WHEREAS, the City Council therefor wishes to exercise the authority granted by Statute to adopt such procedures; and

WHEREAS, the City Council for the City of Lebanon has received a Petition to consider and create an economic improvement district, said Petition contains a proposed economic improvement plan;

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1: A public hearing shall be held on the question of the establishment of an economic improvement district on the 28th day of May, 1997, at 7:30 p.m. Notices of the hearing shall be mailed or delivered personally to affected property and business owners and shall announce the intention of the Council to construct or undertake the economic improvement district and to assess benefited properties for a part or all of the costs. Said notice shall state the time and place of the public hearing. Notice shall be mailed or delivered to affected property owners not sooner than thirty (30) days prior to the hearing.

Section 2: If, after the hearing held pursuant to Section 1 herein, the City Council determines that the economic improvement would afford special and peculiar benefit to subject

parcels within the economic improvement district different in kind or degree from that afforded to the general public and that the economic improvement district should be established, then the City Council may adopt an Ordinance stating those findings and establishing the district. The Council then shall determine whether the property benefited shall bear all or a portion of the cost and shall require notice of such proposed assessment to be mailed or personally delivered to the owner of each lot to be assessed, which notice shall state the amount of the assessment proposed on the property of the owner receiving the notice. The notice shall state the time and place of a second public hearing at which affected property owners may appear in support or object to the proposed charge. Said second hearing shall not be held sooner than thirty (30) days after the mailing or personal delivery of the notices.

Section 3: At such hearing, the Council may consider objections, and may adopt, correct, modify or revise the proposed assessments or charges. The Ordinance will also provide that the assessments will not be made and that the economic improvement project will be terminated when written objections are received at the second public hearing from owners of property upon which more than thirty-three per cent (33%) of the total amount of the assessments is levied.

Section 4: If written objections in the requisite thirty-three (33%) are not received as provided above, the City Council may adopt a final Ordinance levying the appropriate assessments. Upon adoption of the final Ordinance, the City Recorder shall enter each such assessment in the docket of City liens. All such assessments shall be collected in the same manner as local improvements according to the Lebanon Municipal Code and Charter. Failure to pay such assessments may result in foreclosure in the same manner as provided for other such assessments.

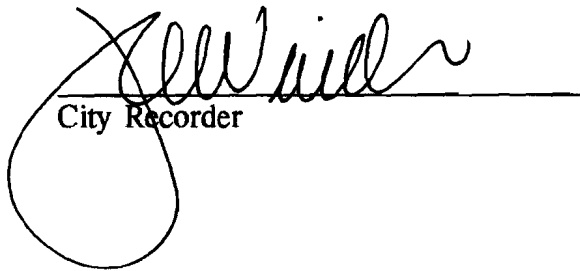
Section 5: Money derived from assessments levied under the procedures set forth in this

Ordinance shall be spent only for economic improvements set forth in the economic improvement plan and for the cost of City administration of the economic improvement district.

Passed by the Council of the City of Lebanon by a vote of 4 for and 0 against, and approved by the Mayor this 9th day of April, 1997.


MAYOR

ATTEST:


City Recorder