

A BILL FOR AN ORDINANCE)
REPEALING ORDINANCE NUMBER)
2273, BILL NUMBER 38 FOR 2000,)
CONCERNING PROCEDURES FOR)
COMPENSATION UNDER BALLOT)
MEASURE 7, ADOPTED NOVEMBER)
7, 2000)

Bill Number 1
for 200~~0~~³
Ordinance Number 2337

WHEREAS, the people of the State of Oregon adopted Ballot Measure 7 on November 7, 2000, which measure concerned the compensation to persons for exercise of regulatory actions of the enforcement of certain governmental laws or regulations; and

WHEREAS, the City of Lebanon, on the 6th day of December, 2000, did enact Bill Number 38 for 2000, Ordinance Number 2273, which created a Chapter 17.70 of the Lebanon Municipal Code which created a procedure for the submission and decision of claims brought under the color of said Ballot Measure 7; and

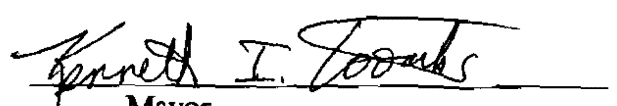
WHEREAS, the Supreme Court of the State of Oregon has, in cases known as *McCall, et al v. Kitzhaber* and *League of Oregon Cities, et al. v. Kitzhaber*, decided October 4, 2002, that Ballot Measure 7 made substantive amendments to both the takings and free expression provisions of the Oregon constitution and that those amendments were not closely related, and further that Ballot Measure 7 violated the separate-vote requirement of the Oregon Constitution and was, therefore, void in its entirety; and

WHEREAS, the necessity for the creation of procedures under Ballot Measure 7 are therefore not necessary or required.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LEBANON ORDAIN AS FOLLOWS:

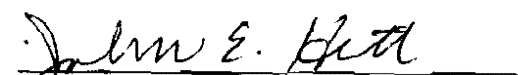
Section 1. Bill Number 38 for 2000, Ordinance Number 2273, passed by the Lebanon City Council on December 6, 2000 is hereby repealed.

Passed by the Lebanon City Council this 22 day of January, 2003 by a vote of 6 for and 0 against.



Mayor

ATTEST:



City Recorder