

**RESOLUTION NO. 2012 - 37**

**A RESOLUTION ADOPTING DEPOSIT FEES FOR ELECTION COSTS FOR OWNER INITIATED  
VOTER APPROVED ANNEXATIONS**

The City Council of the City of Molalla, Oregon, on the 27<sup>th</sup> day of June, 2012, sat in regular session for the transaction of City business.

**WHEREAS:** The Molalla Municipal Code specifies that the City Council shall establish fees for city services by resolution; and

**WHEREAS:** The Oregon Administrative Rules states that fees may be charged to reimburse the public entity of incurred expenses by furnishing administrative services; and

**WHEREAS:** Section 38 of the Molalla Charter addresses that annexations of territory to the city that are initiated by property owners shall be approved by the voters in an election to be paid for by the property owners seeking annexation; and

**WHEREAS:** The proposed deposit fees for election costs is hereby listed as "Attachment A" to this Resolution; and

**WHEREAS:** The proposed deposit fees are in addition to the Land Use Review, Hearing and Appeal fees already adopted by the Council; and

**WHEREAS:** The deposit fee(s) for election costs will be tracked for actual costs incurred for services and applicant will be refunded deposit fee amounts in excess of actual costs for the election; and

**WHEREAS:** If the deposit fee(s) are inadequate to cover actual election costs, additional deposit amounts in increments of \$250.00 will be required by the applicant to continue the process; and

**WHEREAS:** That for administrative efficiencies the fees being imposed by the City of Molalla be collectively established.


**NOW, THEREFORE, THE CITY OF MOLALLA RESOLVES** as follows:

Section 1: The fees for voter approved annexation as identified on Attachment A are hereby established and effective this 27<sup>th</sup> day of June.

Section 2: This resolution takes effect when signed by the Mayor.

Adopted by the City Council this 27 day of June, 2012.

  
\_\_\_\_\_  
Mike Clarke  
Mayor

ATTEST:   
\_\_\_\_\_  
Sadie Cramer  
City Recorder

**Attachment "A"**

CLASSIFICATION OF ANNEXATION	DEPOSIT FEE REQUIRED	ADDITIONAL COMMENTS
Voter Annexations Only <i>(That Occur In May or November of Even Numbered Election Years.)</i>	\$ 2,000.00 <i>(Additional deposit fee required if classified as a special election. See below.)</i>	Includes fees for Legal, Administrative and Planning Services for notifications and filings with the city, county and state agencies. Publication of public notices as require by State law.
Voter Annexations with Comp Plan/Zone Changes <i>(That Occur In May or November of Even Numbered Election Years)</i>	\$2,500.00	Includes fees for Legal, Administrative and Planning Services for notifications and filings with the city, county and state agencies. The additional \$500.00 covers the added work necessary for the comp plan/zone change as require by State law.
Voter Annexations for a Special Election with or without Comp Plan/Zone Changes <i>(That occur during odd numbered years or in the months of March or September of any year.)</i>	\$ 2,000.00 or \$2,500.00 fee described above PLUS the total cost of the number of Registered Voters (RV) in Molalla at the time the annexation is filed multiplied by a rate of \$.75 cents per RV PLUS a \$1,500.00 Voter Annexation Deposit Fee. Example: (2100 RV x \$.75= \$1,575.00 + \$1500.00 for Voter Annexation dep. fee + \$2,000.00 or \$2,500.00 = total amount due to City of Molalla \$5,075.00 or \$5,575.00)	A deposit of this minimum amount in addition to the \$2,000 <i>(Voter Annexation Deposit Fee)</i> is used to cover special elections costs as required by the Charter. Once the election has been completed any remaining amount left from the deposit will be refunded to applicant. If the cost is more than the initial deposit amount the applicant will be responsible for paying that cost.