

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 724

AN ORDINANCE PROVIDING FOR A SPECIAL CITY ELECTION TO BE HELD IN THE CITY OF SHERWOOD, OREGON, SEPT. 16, 1980, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF SHERWOOD, OREGON, THE QUESTION OF AMENDING THE CITY CHARTER, SECTIONS 237 THROUGH 241 AND SECTION 250, WITH RESPECT TO MAKING LOCAL IMPROVEMENTS, ASSESSING COSTS, INSTALLMENT PAYMENT AND ENFORCEMENT OF ASSESSMENTS, AND SALE OF BONDS.

WHEREAS, the City Council finds that the City Charter should be amended to provide alternative procedures for constructing, reconstructing and repairing local improvements and to assess the costs thereof to property specially benefited to provide for more feasible terms of installment payment of assessment liens and to provide the means to sell bonds at interest rates reflecting the bond market conditions;

NOW, THEREFORE,

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: It is necessary and in the best interest of the people of the City of Sherwood that there be submitted to the legal voters of the City at the election to be held throughout the City including all voting precincts within the City, on Sept. 16, 1980, the proposition hereinafter stated with respect to amendment of Sections 237 through 241 and Section 250 of the City Charter.

Section 2: There shall be, and there is hereby adopted, approved and authorized, the following amendments to the City Charter of the City of Sherwood, Oregon, amending Chapter XXI, Sections 237 through 241 and Chapter XXIV, Section 250 to read as follows:

"Section 237: Notwithstanding any other provisions of this Charter, for constructing, reconstructing or repair of local improvements and for assessing specially benefited properties for the cost thereof, the City Council may, in its discretion, by ordinance elect to follow, in lieu of such Charter provisions, the provisions of the laws and statutes of the State of Oregon with respect to making local improvements, local improvement assessments and enforcement of improvement liens, or the council may by ordinance establish other procedures for making local improvements and for assessment of the cost of construction, reconstruction, or repair of said improvements on the property specially benefited.

If, within fifteen (15) days of first publication of a notice of intention to make an improvement, the owners of 75% or more in area of the property within the assessment district make and file written objection or remonstrance against the proposed improvement, said remonstrance shall be a bar to further proceedings in making such improvement under the authority granted by this Section, for a period of one (1) year, unless within that period the owners of one-half (1/2) or more of the property affected shall subsequently petition therefore. Further proceedings to make the improvement after expiration of the period of bar shall require republication of notice of intention to make the improvement, and those proceedings shall likewise be subject to bar by remonstrance pursuant to this section.

Section 238: Whenever the cost of construction or repair of public improvements, including street, sanitary or storm sewers, drainage water, for which an assessment may be made on the property specially benefited, and the cost of said construction or repair has been assessed to and upon the property specially benefited, and such assessment entered as a docketed lien on said property, the owner or owners of any property so assessed shall have the right to apply to pay the assessment in equal semiannual installments, provided the assessment is in the sum of Twenty-Five Dollars (\$25.00), or more, provided the applicant in said application waives all defects and irregularities, jurisdictional and otherwise, in the proceeding for making the improvement and apportionment of the cost thereof. The time, manner, and form for making

The polling places in the City of Sherwood for purposes of this election will be those designated by the county clerk or elections officer.

Witness my hand and the seal of the City of Sherwood this _____ day of _____, 1980.

City Recorder

Section 8: That the Council of the City of Sherwood deems it unnecessary for the City of Sherwood, or any officer thereof, to furnish election pamphlets containing the text of the propositions or arguments in support of or in opposition to the propositions.

Section 9: The City Recorder be, and she is hereby authorized and directed to cause the county elections officer to have prepared ballots in due and legal form as herein prescribed, to appoint an election board, and to furnish to the election board a proper ballot box and all necessary election materials and to take any and all other and futher actions necessary to conduct this election in accordance with laws regulating and governing elections.

Section 10: It is necessary for the preservation of the public peace, health and safety of the people of the City of Sherwood that this ordinance take effect immediately in order that the charter amendment proposal may be properly submitted to the people of the City of Sherwood at the statutory election date of Sept. 16, 1980, and, therefore, an emergency is hereby declared to exist. This ordinance shall be effective upon its passage by the Council and signature by the Mayor.

PASSED:

By the Council, by unanimous vote of all Council members present, after being read three times by caption this 16th day of July, 1980.

Polly Blankenbaker
Recorder - City of Sherwood

APPROVED:

By the Mayor, this 16th day of July, 1980.

Marjorie Stewart
Mayor - City of Sherwood