

CITY OF SHERWOOD
ORDINANCE NO. 98-1045

AN ORDINANCE AMENDING ORDINANCE NO. 738 PROCEDURES FOR PUBLIC IMPROVEMENTS AND ASSESSMENTS

WHEREAS, Ordinance 738, enacted May 27, 1981, and amended by Ordinance 782 October 27, 1982, contains references to the former city charter, and needs to be updated with respect to references to other statutes and ordinances;

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Section 1 of Ordinance 738 is amended to read as follows:

"Section 1. Definitions. As used in this ordinance, (a) unless the context requires otherwise, the words used in this ordinance shall have the meaning as defined in ORS 223.001; (b) the term "engineer" or "city engineer" means by the person or firm designated or engaged by the City to be in charge of engineering and related work for the City."

Section 2. Section 4 of Ordinance 738 is hereby amended by deleting the reference to former Charter Section 237 and replacing that section number with the reference to "Chapter X" of the City Charter.

Section 3. Section 7 of Ordinance 738 is amended to read as follows:

"Section 7. Remonstrance. Within fifteen days from the date of first publication of the notice required to be published in Section 6 hereof, the owners of sixty five percent or more in area of the property within the assessment district may make and file with the recorder written objections or remonstrances against the proposed improvement, and such objections or remonstrances shall be a bar to any further proceeding in the making of such improvement pursuant to this ordinance for a period of one year, unless the owners of one-half or more of the property affected shall

subsequently petition therefor. Further proceedings to make the improvement after expiration of the period of bar shall require re-publication of notice of intention to make the improvement and those reinstated proceedings shall likewise be subject to bar by remonstrance pursuant to this section. (Charter Chapter X)."

Section 4. The last paragraph of Section 9 of Ordinance 738 is amended by inserting reference to Ordinance 94-993, establishing the City's Contract Review Board, said last paragraph to read as follows:

"The requirements of Oregon Revised Statutes Chapter 279, and Ordinance 94-993, insofar as applicable to the work proposed to be done in the City, shall govern the bidding, contracting and performance of the work, including pre-qualification of bidders, payment and performance bonds, and enforcement of the provisions thereof."

Section 5. Effective Date. This ordinance shall become effective thirty days after its passage and approval.

Duly passed by the City Council
this 28 day of April, 1998

Jon Borner
Jon Borner, City Recorder

Approved by the Mayor this 28 day
of April, 1998

Bill Boyle
Ron Tobias, Mayor
Bill Boyle

| | <u>Aye</u> | <u>Nay</u> |
|--------|------------|------------|
| Boyle | ✓ | — |
| Cottle | ✓ | — |
| Krause | ✓ | — |
| Tobias | ✓ | — |
| Turner | ✓ | — |