

ORDINANCE NO. 10-1009

**AN ORDINANCE CONTAINING PROCEDURES FOR CREATION OF ECONOMIC
IMPROVEMENT DISTRICTS**

OREGON CITY MAKES THE FOLLOWING FINDINGS:

WHEREAS, the City Commission finds that making public improvements in commercial and industrial use areas increases the value of properties within economic improvement district boundaries, increases the economic return realized by these businesses, and encourages other businesses to be attracted to locating in these areas, and

WHEREAS, the City Commission, hereby finds that pursuant to ORS 223.114 it is authorized to create a process to be followed by the city in making assessments for the cost of an improvement upon the lots which are specially benefited by all or a part of the improvement within the economic improvement district, and

WHEREAS, the City Commission desires to enact such process to create economic improvement districts within the city limits to provide citizen amenities, to promote commercial activity and public events, to support business recruitment and development, and to improve parking systems or parking enforcement,

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. Pursuant to ORS 223.112 - 223.161, the City Commission shall provide for enactment of an assessment ordinance as follows.

Section 2. An assessment ordinance shall identify an economic improvement district, describe the boundaries for such a district, as well as the types of improvement projects to be undertaken or constructed.

Section 3. An assessment ordinance shall contain a preliminary estimate of the probable cost of the improvement and the proposed formula for apportioning cost to specially benefited properties.

Section 4. An assessment ordinance shall describe the boundaries of the district in which the property will be assessed.

Section 5. An assessment ordinance shall contain provisions for notices to be mailed or delivered personally to affected property owners that announce the intention of the City Commission to create an economic improvement district and to impose the assessment necessary to cover all or part of the cost to construct or undertake the economic improvement projects. The notice shall state the time and place of a public hearing required under Section 6.

Section 6. The City Commission shall hold a public hearing not sooner than 30 days after the mailing or delivery of notices to affected property owners described in Section 5 of this ordinance, at which the owners may appear to support or object to the proposed improvement assessment.

Section 7. If, after the public hearing described in Section 6 is held, the City Commission determines that the economic improvement shall be made, the City Commission shall determine whether the property benefited shall bear all or a portion of the cost and shall determine, based on actual or estimated cost of the economic improvement, the amount of assessment on each lot in the district. Thereafter, the city recorder or other person designated by the City Commission shall prepare the proposed assessment for each lot in the district and shall file it in the city recorder's office.

Section 8. Thereafter, the City shall provide notice of the 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 public hearing at which affected property owners may appear to support or object to the proposed assessment. The hearing shall not be held sooner than 30 days after the mailing or personal delivery of the notices.

Section 9. At this second public hearing described in Section 8, the City Commission shall consider such objections and may adopt, correct, modify or revise the proposed assessments.

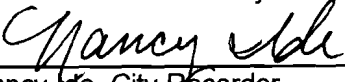
Section 10. The assessments will not be made and the economic improvement project terminated when written objections are received at the public hearing from owners of property upon which more than 33 percent of the total amount of assessments is levied.

Section 11. The City is not authorized to:


1. Levy assessments in an economic improvement district in any year that exceed one percent of the real market value of all the real property located within the district.
2. Include within an economic improvement district any area of the city that is not zoned for commercial or industrial use.
3. Levy assessments on residential real property or any portion of a structure used for residential purposes.

Read for the first time at a regular meeting of the City Commission held on the 6th day of October 2010, and the City Commission finally enacted the foregoing ordinance this 20th day of October 2010.

Attested to this 20th day of October 2010



Nancy Ide, City Recorder



ALICE NORRIS, Mayor

Approved as to legal sufficiency:



City Attorney