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JUN 18 1982

D.M. BENFOLD, Director of
General Services of Lane County

Wally Benzel
DEPUTY

REEL 114 PAGE 700

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 7-82) IN THE MATTER OF AMENDING CHAPTER 15
) OF LANE CODE TO REVISE PROCEDURES WITH
) REGARD TO LEVYING, COLLECTING AND ENFORCING
) SPECIAL ASSESSMENTS AND ADD ROAD SYSTEMS
) DEVELOPMENT FEE PROCEDURES
)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 15 of Lane Code is hereby amended by removing, substituting and adding the following pages:

<u>REMOVE THESE PAGES</u>	<u>INSERT THESE PAGES</u>
15.600 - 15.610 to	15.600 - 15.610 to
15.635 - 15.645	15.695 15,695
(a total of three pages)	(a total of four pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions and additions is to revise procedures with regard to levying, collecting and enforcing special assessments and add road systems development fee procedures.

Enacted this 9th day of JUNE, 1982.

Gerald H. Rust, Jr.
 Vice Chairman, Lane County Board
 of Commissioners

Chester Mohr
 Recording Secretary for this Meeting
 of the Board

In the Matter of Amending Chapter 15 of Lane Code to Revise Procedures With Regard to Levying, Collecting and Enforcing Special Assessments and Add Road Systems Development Fee Procedures

APPROVED AS TO FORM
 DATE: 4/12/82
[Signature]
 OFFICE OF LEGAL COUNSEL

15.600

Lane Code

15.610

LEVYING, COLLECTING AND ENFORCING SPECIAL ASSESSMENTS

15.600 Authority. The following provisions relating to the application of a special assessment policy for public improvements are hereby adopted pursuant to the authority granted to Lane County by the Lane County Home Rule Charter. Except as expressly modified in this subchapter, the provisions of ORS Chapter 371 are applicable in Lane County.

15.605 Purpose. The requirements set forth herein are for the purpose of defining policies, conditions and procedures whereby specially benefited property owners shall be assessed for the costs of road improvements. Remonstrance procedures included in Section 9 of the Lane County Home Rule Charter are not repeated herein, but apply in full. The procedures set forth in this subchapter shall constitute a determination by the Board of County Commissioners, absent the express determination inconsistent with these procedures, of the extent to which the cost of road improvements in Lane County is to be defrayed by special assessments on property to be specially benefited.

15.610 Definitions. (For LC 15.600 to 15.645).

Direct Cost. All costs, including design costs and engineering costs, associated with installation of improvements specified.

Local Road or Street. A road or street which is used primarily for access to abutting properties.

Major Collector. A road or street which is used primarily as a connector from neighborhood areas to commercial or industrial districts; should carry traffic to one or more arterials.

Minor Arterial. A route which provides for intra-community traffic and serves as a direct connection from communities to principal arterials.

Minor Collector. A road or street which collects traffic from local residential roads or streets and channels it into the major collector or minor arterial system.

Principal Arterial. A route which provides for through traffic between major centers of activity in the urban, suburban and rural areas.

Reconstruct. The action taken to alter or change the physical characteristics of the existing facility, but not including general maintenance or minor betterment.

Rural. All areas in Lane County not encompassed within an Urban Service Boundary.

Urban Service Boundary. The boundary described in the adopted City Comprehensive Plan to which urban services may be extended.

15.615

Lane Code

15.636(1)

15.615 Application. The provisions herein apply to all County roads, dedicated public roads and platted streets within the unincorporated areas of Lane County and under the jurisdiction of Lane County. These provisions shall also apply to the following County roads within the limits of incorporated cities:

(1) Connecting roads maintained under the authority of ORS Chapter 373.

(2) County roads subject to an intergovernmental agreement under the authority of ORS 373.260.

(3) County roads within the limits of incorporated cities not covered by LC 15.615(1) and (2) above and for which the city involved has not requested surrender in accordance with ORS 373.270.

15.620 Initiation of Improvements. Proceedings to reconstruct an existing road may be initiated by:

(1) Resolution of the Board when it is deemed necessary in order to provide for public safety and to promote the common welfare of the general public.

(2) Petition signed by not less than 60 percent of the owners of the land representing not less than 60 percent of the land abutting the proposed improvements.

15.625 Procedures. When a resolution has been adopted or a petition has been filed for the reconstruction of an existing road, the procedures outlined in ORS Chapter 371 pertaining to an engineer's report, notice to owners, filing of objections, etc., shall be followed.

15.630 Priority System. All proposed projects shall be consistent with a road improvement priority system as may be adopted by Lane County. Any road proposed for reconstruction by petition, which, in the judgment of the Director of the Department of Public Works is in conflict with said priority system, may proceed according to the provisions of ORS Chapter 371, but with financial assistance only as separately determined by the Board.

15.636 Assessments. Improvement costs of the reconstruction of existing roads shall be assessed in the following manner:

(1) By Petition.

(a) Local Streets and Roads and Minor Collectors.

The cost of the complete street improvements up to and including 36 feet in width, curbs, gutters and sidewalks within Urban Service Boundaries; and the cost of improvements up to and including 24 feet in width in the rural areas shall be assessed to the abutting property on a cost per front foot basis.

15.636(1)

Lane Code

15.645

(b) Major Collectors and Minor Arterials. The cost of constructing the curbs, gutters and sidewalks within Urban Service Boundaries shall be assessed to the abutting property on a cost per front foot basis. All other costs within Urban Service Boundaries and all costs in the rural areas shall be paid by Lane County.

(c) Principal Arterial. Where and when the abutting property has direct access, it shall be assessed as defined in LC 15.636(1)(b) above. When direct access is denied, no assessment will be made.

(2) By Resolution.

(a) Local Streets and Roads and Minor Collectors. The cost of constructing curbs, gutters and sidewalks within Urban Service Boundaries shall be assessed to the abutting property on a cost per front foot basis. All other costs within Urban Service Boundaries and all costs in the rural areas shall be paid by Lane County.

(b) Major Collectors and Minor Arterials. The same as defined in LC 15.636(1)(b) above.

(c) Principal Arterial. The same as defined in LC 15.636(1)(c) above.

15.640 Intersections. The cost of street improvements located within street intersections and railroad intersections shall be paid by Lane County on projects where there is joint participation in the improvement costs.

15.645 Foreclosure. The Director of the Department of Assessment and Taxation shall have the duties and responsibility of the County Court in ORS 371.650(3) and ORS 371.660 and shall have the general responsibility for record keeping and collection of ORS Chapter 371 assessments made under the authority of ORS 371 and this subchapter.

15.695

Lane Code

15.695

ROAD SYSTEMS DEVELOPMENT FEE

15.695 Specific Road Improvements. The owner of land being developed may be required, as a condition of development approval, to implement specified road improvement necessitated by the development either on or off-site. The Public Works Director shall specify any required improvements and these shall be in addition to other requirements of this Chapter.