

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY OREGON

PASSED

ORDINANCE NO. 8-02

IN THE MATTER OF AMENDING CHAPTER 2 OF LANE CODE TO ADD PROVISIONS AFFECTING USE OF PROPERTY OR PROCEEDS RECEIVED UNDER ARTICLE XV 10(7)(C) OF THE OREGON CONSTITUTION (LM 2.920)

WHEREAS, Article XV of the Constitution of the State of Oregon was amended by Measure 3 enacted at the General Election November 7, 2000 to include a new Section 10, titled the Oregon Property Protection Act of 2000; and

WHEREAS, Subsection 10(7) of the Oregon Property Protection Act provides that property or proceeds forfeited under Subsections 10(3),(5)&(8) of the Oregon Property Protection Act shall be distributed in the following order:

- (a) To the satisfaction of any foreclosed liens, security interest and contracts in the order of their priority;
- (b) To the State or any of its political subdivisions for actual and reasonable expenses related to the costs of the forfeiture proceeding, including attorney fees, storage, maintenance, management, and disposition of the property incurred in connection with the sale of any forfeited property in an amount not to exceed twenty-five percent of the total proceeds in any single forfeiture;
- (c) To the State or any of its political subdivisions to be used exclusively for drug treatment, unless another disposition is specially provided by law; and

WHEREAS, Subsection 10(7)(c) specifies that property or proceeds forfeited to Lane County, as a political subdivision of the state, shall be used exclusively for drug treatment, unless another disposition is specially provided by law; and

WHEREAS, Lane County desires to specially provide by law that property or proceeds forfeited to Lane County under Article XV 10(7)(c) shall be deposited into the General Fund and shall be available for all lawful General Fund purposes;

NOW THEREFORE, the Board of County Commissioners ordains as follows:

Chapter 2 of Lane Code is hereby amended by removing, substituting and adding new sections as follows:

**REMOVE THESE SECTIONS**

NONE  
page 2-19  
(a total of 1 page)

**INSERT THESE SECTIONS**

2.920  
located on page 2-19  
(a total of 1 page)

Said sections are attached hereto and incorporated herein by reference. The purpose of these substitutions and additions is to amend Lane Code Chapter 2 to add provisions affecting use of property or proceeds received under or otherwise subject to Article XV 10(7)(C) of the Oregon Constitution.

ENACTED this 12<sup>th</sup> day of June 2002.

Bill Dwyer  
Chair, Board of County Commissioners

Melissa A. Zimmer  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 5/1/02 Lane County

J Laidlaw  
OFFICE OF LEGAL COUNSEL

(a) For plats containing 20 lots or less, \$15.  
 (b) For plats containing over 20 lots, and less than 30 lots, \$20.  
 (c) For plats containing 30 lots, and less than 50 lots, \$25.  
 (d) For plats containing 50 lots, and less than 75 lots, \$30.  
 (e) For plats containing 75 lots, and less than 101 lots, \$35.  
 (f) For plats containing over 100 lots, in addition to the charge of \$35, the county clerk shall charge \$.50 per lot for all lots over 100.

(4) The fee charged for the services of the County Surveyor for marking the record of a vacation order or ordinance upon the original plat shall be \$6.

(5) The fee for recording a copy of the location notice for a mining claim is \$5/document.

(6) The fee for recording an affidavit of annual labor upon a mining claim is \$5/page.

(7) The certificate described in ORS 517.280 shall not be issued until the co-owners entitled to it pay to the County Clerk a fee of \$12.50. The fee for recording the certificate shall be the same as for other mining conveyances, \$5 per page.

(8) For the preparation of and processing of a marriage license waiting period waiver request, the fee is \$4.

(9) Pursuant to ORS 203.148 a fee of \$10 shall be charged for recording any instrument under ORS 205.130(2). This fee is in addition to any other fee charged by the County Clerk. All moneys collected under this section shall be deposited in the Public Land Corner Preservation Fund. *(Revised by Ordinance No. 8-79, Effective 7.26.79; 5-84, 6.15.84; 6-86, 6.18.86; 19-86, 2.6.87; 15-87, 9.27.84)*

#### **2.905 Law Enforcement Medical Liability Account Assessment.**

Within 60 days of receipt of an assessment levied by Lane County Justice Courts pursuant to Section 5(4)(a) of Ch. 778 of 1991 Or Laws (SB 1142), the assessment shall be transmitted to the Oregon Department of Revenue for placement in the Law Enforcement Medical Liability Account. *(Revised by Ordinance No. 4-92, Effective 6.12.92)*

#### **2.920 Forfeiture Assets.**

Property or proceeds distributed to Lane County under Oregon Constitution article XV 10(7)(c) shall be deposited in the General Fund to be available for all lawful General Fund purposes.

2.905

Lane Code

2.920

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