

Enabling ordinance

ORDINANCE NO. 573

AN ORDINANCE PROVIDING FOR THE CONTINUATION OF AN ECONOMIC IMPROVEMENT DISTRICT, DESCRIBING THE IMPROVEMENT, THE COST AND FORMULA FOR ASSESSING, THE BOUNDARIES, THE DURATION, PROVIDING FOR NOTICES TO ALL AFFECTED PROPERTY OWNERS, AND CALLING A PUBLIC HEARING ON THE QUESTION OF THE CONTINUATION OF THE DISTRICT

WHEREAS, the City of Willamina has received a request that the Economic Improvement District that was formed Jan. 1, 1991 for a five year period, be continued for another five-year period, and

WHEREAS, ORS 223.112 through 223.132 permits the formation of Economic Improvement Districts, and

WHEREAS, the City Council, at a regularly scheduled meeting held May 25, 1995, by motion did approve the concept of the continuation of an Economic Improvement District for the City of Willamina, now, therefore

THE CITY OF WILLAMINA, OREGON, ORDAINS AS FOLLOWS:

Section 1. The proposed Economic improvement shall provide for:

- A. The planning or management of development or improvement activities
- B. Landscaping or other maintenance of public areas
- C. Promotion of commercial activity or public events
- D. Activities in support of business recruitment and development
- E. Improvements in parking systems or parking enforcement
- F. Any other economic improvement activity for which an assessment may be made on property specially benefited thereby.

Section 2. The preliminary estimate of the probable cost of economic improvements planned is estimated to be a total of \$6,000 annually, not to exceed 5 (five) annual assessments.

This estimate is based on a levy of 1/4 of 1% of the assessed valuation of fully benefited commercial properties on Main Street; 1/8 of 1% of assessed valuation of commercial properties on side streets B, C, D, E, F, Oaken Hills Drive, Lamson, Baker, Barber, Polk and James Streets and 1/8 of 1% of assessed valuation of commercial properties that are in industrial use.

Commercial properties that also include residential property will be prorated. In no instance shall any residential real property be assessed.

Section 3. The proposed boundaries of the district are any commercial or industrial business areas within the city limits of the City of Willamina.

Assessments to be levied within such boundaries shall only be levied on property zoned commercial or industrial. In no instance shall any residential real property lying within these boundaries be assessed.

Section 4. Notices shall be mailed to all affected property owners, announcing the intention of the City to renew the District and cause the prescribed rate to be levied to the County Assessor of the County in which the property is located, who shall cause the prescribed rate to be levied.

Said notices shall advise that a public hearing will be held where affected parties may testify in favor of or opposition to the renewal of the district. Notices provided shall be mailed at least 30 days prior to date of hearing, by ordinary first class mail to the address of record of owner on file in the Polk and Yamhill County Assessor's Office.

Section 5. It is specifically provided that at any time, on or before the date of the public hearing, owners representing 33% (thirty three percent) or more of the amount of assessments object in writing to the City Recorder the proceeding shall automatically terminate.

Section 6. If, after the hearing is held, the Council determines that the economic improvement district renewal procedure shall continue, the Council shall determine whether the property benefited shall bear all or a portion of the cost. The Recorder, or other person designated by the Council shall prepare the proposed assessments to the respective properties within the assessment district and file it in the appropriate city office.

Notice of such proposed assessment shall be mailed or personally delivered to the owner of record of each property proposed to be assessed, which notice shall state the amount of assessment proposed on that property and shall fix a date by which time objections shall be filed, in writing, with the recorder. Any such objection shall state the grounds thereof. The notice shall also 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 7. At the Public Hearing in accordance with Section 6, the Council shall consider any objections and may adopt, correct, modify or revise the proposed assessments and determine the amount of assessment to be charged against each lot within the district. Assessments shall not be made and the economic improvement project shall be terminated when written objections are received at the public hearing from owners of property upon which more than 33% (thirty three percent) of the total amount of assessments is levied.

Section 8. If objections are not received from owners of property upon which more than 33% (thirty three percent) of the total amount of assessments are to be levied, the Council may create an Economic Improvement District, by ordinance, and forward a listing of each property and the prescribed rate to be levied to the County Assessor of the County in which the property is located, who shall cause the prescribed rate to be levied.

Section 9. An advisory committee for the Economic Improvement District shall be created by the City Council. The advisory committee shall consist of five individuals who are either owners of property or managers of businesses located within the Economic Improvement District. The committee members shall serve a one year term. The City Council shall receive nominees for members of the advisory committee and shall give due consideration to the nominees presented to the Council by local business organizations. The advisory committee shall have the responsibility to allocate expenditures of monies for economic improvement activities within the scope of this ordinance.

Section 10. This ordinance shall be in full force and effect from and after its passage and approval.

Passed by the Council this 29th day of June, 1995.

AYES: Councilors Alger, Branson, Eddy, Goff, Greb, Jenne

NAYS: None

Submitted to and approved by the Mayor this 29th day of June, 1995.

Jvile D Hill
Mayor

ATTEST:

L Chafne Brown
City Recorder