

AFFIDAVIT OF POSTING ORDINANCE #87

STATE OF OREGON            )  
                                  )  
COUNTIES OF CLACKAMAS    )  
AND WASHINGTON            )  
                                  )  
CITY OF WILSONVILLE      )


I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 7th day of September, 1977, I caused to be posted copies of the attached Ordinance #87, , An Ordinance establishing an interim permit allocation program, and declaring an emergency, in the following four public and conspicuous places of the City, to wit:


- Wilsonville Post Office
- Wilsonville City Hall
- Lowries Food Market
- Kopper Kitchen

The notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on the 19th day of September, 1977

Dated at Wilsonville, State of Oregon this 17<sup>th</sup> day of <sup>October</sup> ~~September~~, 1977

  
Deanna J. Thom  
City Recorder

Subscribed and sworn to before me  
this 17<sup>th</sup> day of <sup>October</sup> ~~September~~, 1977

  
\_\_\_\_\_  
NOTARY PUBLIC STATE OF OREGON  
My Commission Expires: \_\_\_\_\_

My Commission Expires February 14, 1981

ORDINANCE NO. 87

AN ORDINANCE ESTABLISHING AN INTERIM PERMIT ALLOCATION PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wilsonville is interested in providing an equitable distribution procedure for municipal utility and building permit allocations based upon the capacities of existing facilities; and

WHEREAS, the City has received information from engineering consultants that the demand on existing utility services will soon reach the critical stage; and

WHEREAS, the City has established the following goals to aid in the establishment of a system for allocating permits:

1. Establish a system which will issue the permits with the least amount of time and problems.
2. Maintain a balance of single and multi-family dwellings, commercial and industrial development.
3. Maintain active competition in the building and housing market place.
4. Insure that the system established will be administered with impartiality.
5. Insure that permits will be issued only for immediately planned bonafide building and not held for speculation.
6. Have a positive effect on the local economy in terms of cash flow into the city and local government.
7. Recognize and give priority to existing legal and moral commitments of the City to issue sewer permits to certain scheduled developments

WHEREAS, the City has determined that sewer permits based on a residential equivalency will be allocated by land use categories consistent with the historic pattern of water and sewer connections and with the projected public and private needs within the City, now, therefore,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: A "residential equivalency" is the equivalent impact on the City's sewerage treatment plant of one single family dwelling unit. Except as provided in Section 2 below, the total

number of building permits to be issued from the effective date of this ordinance until the sewer plant expansion is operative shall not exceed the number of permits which will authorize or result in 360 residential equivalency sewer hookups. Except as provided in Section 2 below, any sewer hookup permitted after the effective date of this ordinance shall reduce the number of available permits accordingly.

Section 2: The City hereby recognizes its legal and moral commitments to issue sewer connections for the following scheduled developments and for the amounts indicated as residential equivalencies:

<u>Development</u>	<u>Residential Equivalency</u>
Holiday Inn	100
Tektronix	12
Jack Cole (24-unit apartment)	24
Edwards Industries	<u>4</u>
TOTAL	140

The connections to be issued pursuant to this section shall be in addition to the aggregate maximum number of residential equivalency hookups to sewers as permitted by Section 1 above, and shall be in addition to the monthly limitation on hookups as described in Section 6 below.

Section 3: The number of residential equivalency hookups to sewers as authorized by Section 1 will be allocated to the following land use categories in percentages established by resolution of the City Council.

1. Single family residential (R-7, R-10 and R-20)
2. Multi-family residential, duplex and mobile homes (MR-1)
3. Commercial, including motel units (C-1 and C-2)
4. Industrial (I-1 and I-2)
5. Public, semi-public (any zone)

These allocations will be reviewed and reconsidered by the Wilsonville Interim Growth Committee which shall report their findings to the City Council. The Council may by resolution modify the allocation percentages based on the report by the said committee

or any other relevant information.

Section 4: All applications for the purposes as defined by Section 1 of Ordinance No. 85 shall not be eligible for building, water or sewer permits until the expiration of Ordinance No. 85.

Section 5: Building permits within the existing urban growth boundary will be issued as available subject to the limitations as set forth in Section 6 and the general evaluation criteria as hereinafter set forth:

#### EVALUATION CRITERIA AND PROCEDURES

##### I. Limitations Depending on Source of Supply

###### 1. Water

- A. Private supply: No impact. Proceed to next checkpoint
- B. Municipal supply:
  - 1. Some impact but capacity is sufficient. Proceed to next checkpoint.
  - 2. Some impact and capacity is insufficient. No permit issued unless applicant agrees to system improvements to increase capacity and assumes the costs.

###### 2. Sewer

- A. Private supply: No impact. Proceed to next checkpoint.
- B. Municipal supply:
  - 1. Some impact but capacity is sufficient. Proceed to next checkpoint.
  - 2. Some impact and capacity is insufficient. No permit issued unless applicant agrees to system improvements to increase capacity and assumes the costs.

##### II. Limitations by Number

- 1. If permits requested do not exceed 75 in any one calendar month, proceed to next checkpoint.
- 2. When the total residential equivalency permits issued in any one calendar month reaches 75, no additional permits are issued and applicants must wait until the next calendar month.

##### III. Limitations by Use

- 1. If permits are available for a particular use category in any calendar month the building permits may be issued.

2. If permits are not available for allocation the permit request is denied and the applicants must wait until the next calendar month.

Section 6: The limitations on the issuance of permits are as follows:

1. The City will not issue more than the number of building permits that will permit more than 75 residential equivalency hookups during any one calendar month of the first six months this ordinance is in effect. Prior to the end of the six-month period the Interim Growth Committee shall review and reconsider the permit allocation numbers. The council may by resolution modify the total or monthly number of permits to be issued based upon the report by the Interim Growth Committee or any other relevant information.
2. There must be initiated within thirty (30) days of the issuance of a permit substantial construction in accordance with approved plans. If substantial construction does not occur, then the building permit is automatically revoked and building permit fees are forfeited.
3. Any permits issued or sewer connection reservations are not transferable.
4. Each permit applicant shall pay the cost of utility extensions that may be required to serve developments outside the existing service network.

Section 7: In cases of sewer connections in any land use category described in Section 3 other than single family residential, the right to connect to a sewer line shall be conditionally reserved at the time of approval of a development by the Design Review Board, as follows:

- (a) The reservation shall be for a specific estimated number of residential equivalency hookups to sewers, as determined by the City Administrator.
- (b) The reservation shall be effective upon the effective date of Design Review Board approval of a development.
- (c) The reservation shall be conditional upon issuance of a building permit within six (6) months after Design Review Board approval of the development. If a building permit is not issued within such period of time, the reservation shall automatically expire, and the applicant shall lose all rights in the reservation.
- (d) The estimated number of residential equivalencies reserved shall, at the time of Design Review Board approval, be subtracted from the total number of residential equivalency hookups authorized by Section 1 above, but shall not be counted within the aggregate monthly allocation described in Section 6 above until issuance of a building permit.


Section 8: The permit allocation process will be administered by the City Administrator who shall interpret the applications in terms of a residential equivalency and the criteria and limitations of Sections 4, 5, 6 and 7. An action or ruling of the City Administrator authorized by this ordinance may be appealed to the City Council if written notice of the appeal is received by the City Recorder within fifteen (15) days of the decision of the City Administrator. If no appeal is taken, the decision of the City Administrator shall be final. If an appeal is taken, the City Council shall hear the appeal within thirty (30) days of the notice of appeal.

Section 9: In view of the need to begin an immediate allocation of permits an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon final reading and enactment by the City Council.

Passed by Wilsonville City Council on first reading at a special meeting thereof on September 7, 1977; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter; and to come up for final reading and action of the Wilsonville City Council at a special meeting thereof to be held on the 19th day of September, 1977 at the hour of 8:00 o'clock p.m. at the Council's meeting place at the Wilsonville Elementary School,

  
WILLIAM G. LOWRIE - Mayor

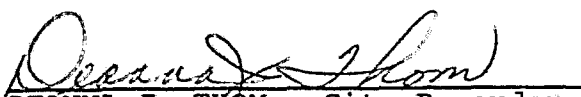
ATTEST:

  
DEANNA J. THOM - City Recorder

Passed on final reading at a special meeting of the Wilsonville City Council this 19th day of September, 1977, by the following vote:  
Yeas 4 . Nays 0 .

  
WILLIAM G. LOWRIE - Mayor

ATTEST:

  
DEANNA J. THOM - City Recorder