

ORDINANCE BILL NO. 12 FOR 1984

ORDINANCE NO. 926

AN ORDINANCE PROVIDING FOR THE PROCEDURE FOR APPORTIONMENTS OF ASSESSMENTS, AND DECLARING AN EMERGENCY

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. Whenever property shall have been assessed in an entire tract or parcel and subsequently divided into smaller lots or parcels or divided among different owners, any owner, mortgagee or lienholder of parcel(s) desiring to have the total assessment apportioned between said smaller lots or parcels may make an application to the City Council for a segregation of the assessment and a determination of the amount due on the portion owned by him or her.

Section 2. Applications for the segregation of liens shall be filed with the Finance Director and shall describe tract(s), lot(s) or parcel(s) to be segregated and the names of the owners of the respective tract(s), lot(s) or parcel(s). Applications shall include Linn County Records recording information of the document evidencing applicant's ownership or other interest in the parcel or shall be accompanied by a true copy of the deed, mortgage, or other document evidencing applicant's interest. The application shall also be accompanied by a fee as established by resolution of the Council, which fee or fees may be revised by resolution of the Council at any time.

Section 3. Upon receipt of the application, the Finance Director shall cause a segregation of the total assessment to be calculated according to the method of apportionment used in the original improvement assessment, unless inappropriate because of special circumstances, and then the assessment shall be prorated according to the value of each parcel or lot or a combination of said methods. The value of each lot may be determined by the assessed value, either proposed or determined by the Linn County Assessor, or by appraisals of the parcels. The applicant may be required to pay for appraisal costs.


Section 4. No requested segregation shall be granted unless the segregation complies with ORS 92.010 to 92.160, applicable Sweet Home Ordinance provisions, and all applicable acknowledged comprehensive plans.

Section 5. If the City Council determines that the requested segregation complies under Section 4 above, it shall order the segregation by resolution describing each parcel, the owner of each parcel, and the amount of the assessment levied against each parcel. The resolution will become effective upon receipt from the applicant of an executed agreement acknowledging the validity of the assessment(s) as segregated and waiving any

and all errors or irregularities in the proceedings, and upon receipt of all past due payments on the total assessment of the entire tract or parcel involved. Thereafter, a copy of the resolution shall be filed with the Finance Director who shall cause any necessary changes or entries to be made in the City's lien docket.

Section 6. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 9th day of October, 1984.



Mayor

ATTEST:



City Manager - Ex Officio City Recorder