

ORDINANCE NO. 25

AN ORDINANCE RELATING TO THE EXTENSIONS OF WATER AND SEWER LINES; AND PROVIDING FOR THE REFUNDING OF COSTS; AND DECLARING AN EMERGENCY.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: If any person agrees to pay the costs of extending a water or sewer main or lateral line to serve his property and the extension of such line would be adjacent to property other than his own so that water or sewer service for either commercial, industrial or domestic use is provided for such other property without further extension of the lines, the City of Wilsonville shall require the owners of the other property prior to providing water or sewer service to such other property to refund to the person required to pay the costs of extending the water or sewer lines a prorata portion of the costs of the extension. The right of the City to require such refund shall not continue for more than ten (10) years after the date of installation of the extension of the water or sewer line. The amount to be refunded shall be determined by the Wilsonville City Council, and such determination shall be final.

Section 2: Any person who undertakes to pay the costs of extending a water or sewer service line which when extended will be adjacent to property other than his own shall first file with the Wilsonville City Recorder a description and map outlining the improvement area showing the adjacent properties which can be served from the extension of such line. The City Recorder shall make a copy thereof and deliver to the City's engineer who shall inspect the site of the proposed extension and report in writing to the City Recorder whether or not the extension is feasible, desirable and necessary for the orderly development and expansion of the City's sewage collection and water distribution systems. Should it be determined by the City's engineer that it is not economically feasible or practical from an engineering study and

investigation, the City Recorder shall report such facts to the person who filed the Application and return the description and map to be revised or corrected. When the area to be served is found to be feasible and desirable for the orderly development and expansion of the City's sewer or water systems, the City's engineer shall prepare or cause to be prepared all necessary plans and specifications for the proposed project.

Section 3: Upon approval by the Wilsonville City Council of the Application for the extension of the water or sewer lines and after preparation of the plans and specifications for the work project, the applicant shall pay to the City Recorder the total estimated costs of the project, including the legal, engineering and supervision costs. Thereafter the City Recorder shall advertise in a local paper once a week for two successive weeks for sealed bid proposals for construction of the improvement project. The bid proposals shall be publicly opened at either a regular or special meeting of the Wilsonville City Council held at least ten (10) days after the first publication for bids. The City Council may waive any irregularity in bidding procedures, reject any or all bids or award a contract to the bidder who in the opinion of the City Council is best qualified to undertake and perform fully in a satisfactory manner the public improvements which are to be constructed. If there are not any bidders or if all bidders are rejected, the City Council may direct the work to be completed by either a City work force or it may award a contract to any person, firm or corporation who, in the opinion of the City Council, is competent and qualified to perform the work in accordance with the plans and specifications. The City Council shall confer with the applicant and obtain his approval before awarding the contract or before deciding to perform the work by City work force.

Section 4: If prior to the commencement of construction, an applicant withdraws his Application or notifies the City of his desire to abandon the project, he shall pay to the City in full its actual costs incurred to that time and including, though not exclusively, all legal and engineering costs.

Section 5: Any water or sewer line extension project which is to be constructed under the provisions of this Ordinance shall be done under the supervision and direction of the City's engineer or an engineer employed by the City to supervise such project and in accordance with existing Ordinances of the City relating to such matters; and the successful bidder for any such work contract shall furnish to the City a full performance, payment and street restoration bond issued by a corporate surety in an amount and form as may be approved by the City Council.

Section 6: All Ordinances, or parts of Ordinances, in conflict herewith shall be and they are hereby repealed.

Section 7: Inasmuch as this Ordinance is necessary for the preservation of the public health, peace and safety of the City of Wilsonville, Oregon, and the inhabitants thereof, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its final passage by the City Council and approval by the Mayor.

Passed on first reading at a regular meeting of the Wilsonville City Council this 14th day of June, 1971; 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 regular meeting thereof to be held on the 28th day of June, 1971, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time, at the Council's regular meeting place in the Wilsonville IOOF Hall.

ATTEST:

Lee Reslock
LEE RESLOCK - City Recorder

PHILLIP R. BALSIGER - Mayor

Passed on final reading at a regular meeting of the Wilson-
ville City Council this 28th day of June, 1971, by the
following vote: Yeas 5. Nays 0.

Approved by the Mayor this 28th day of June, 1971.



PHILLIP R. BALSIGER - Mayor

ATTEST:



LEE RESLOCK - City Recorder

AFFIDAVIT OF POSTING ORDINANCE NO. 25

STATE OF OREGON)
)
Counties of Clackamas)
and Washington) ss.
)
City of Wilsonville)

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

On. Wednesday, the 23rd day of June, 1971, at 7:30 a.m. I caused to be posted copies of the attached Ordinance No. 25 in the following three (3) public and conspicuous places of the City, to-wit:

1. Kopper Kitchen Restaurant
2. Wilsonville Post Office
3. Lowrie's Food Market

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 28th day of June, 1971.

Dated at Wilsonville, Oregon, this 28th day of June, 1971.

Lee Reslock
City Recorder

Subscribed and sworn to before me this 28th day of June, 1971.

Doris Wehler
Notary Public for Oregon
My Commission expires: 6-5-73