

**ORDINANCE NO. 513**

**AN ORDINANCE AMENDING WILSONVILLE CODE SECTION 3.100(2) SERVICE CONNECTIONS AND REGULATION EXCEPTIONS BY ALLOWING FOR INTERIM EXCEPTIONS.**

WHEREAS, the City Council has reviewed the issue of existing wells in operation and those existing wells for which requests or applications for use by commercial and industrial users had been filed with the City prior to the adoption of Ordinance No. 502, which amended WC 3.075 and 3.100 to require connections to city water for new construction by commercial and industrial users; and

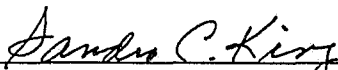
WHEREAS, the City Council finds that it is in the public's interest to allow new construction to proceed where existing wells are in operation or when a request for application to use has been made prior to the adoption of Ordinance No. 502; provided, such users connect to City water when it becomes available and that such users do not impact the City's aquifer.

NOW, THEREFORE THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. Section 3.100(2) Exceptions is amended by adding the following subsection:  
(2)(d) Interim exceptions. New construction for commercial and industrial use may be served by existing wells in operation to the extent of its operating use and up to 5,000 gallons per day for existing wells for which a request or application was made to the City for this operation and use of such wells prior to the final adoption of Ordinance No. 502; provided, however, connection to City water must occur upon water becoming available which is currently estimated to be available April 2002. A well which qualifies for interim use under this section, may be relocated on the property it serves upon the approval of the City during the interim time period as part of a land use approval and its use may be continued beyond the interim period for irrigation purposes only. The use of a qualified interim use well shall not disqualify the property to which it pertains from otherwise qualifying for a Category 1 permit pursuant to Ordinance No. 514. Examples of the respective interim exception are applications by Burns Bros. Inc., property bordered by Elligsen Road to the north and Parkway Avenue to the west and south (prior existing well use of 27,551 gallons per day) and application by Specht Wilsonville, LLC

property described 98DB45 (application for 5,000 gallons per day use from existing well known as the McFarland Well.)

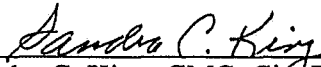
SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 6<sup>th</sup> day of March, 2000, and scheduled for second reading at a regular meeting thereof on the 20<sup>th</sup> day of March, 2000, commencing at the hour of 7 P.M. at the Wilsonville Community Center, whereat the Council approved the ordinance subject to certain amendments and continued the matter for reading of the amendments and final approval with amendments to April 17<sup>th</sup>, 2000, whereat this ordinance with amendments received final reading.

  
Sandra C. King, CMC, City Recorder

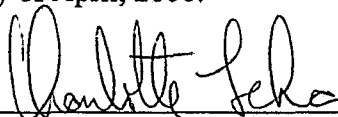
ENACTED by the City Council on the 20<sup>th</sup> day of March, 2000, by the following votes:

Yes: -5-

No: -0-

  
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 17<sup>th</sup> day of April, 2000.

  
CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Kirk	Yes
Councilor Holt	Yes