

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance Repealing)	
Authority to Impose System Development)	
Charges for Transportation Capital Facilities;)	ORDINANCE 695
Repealing Ordinances 654, 675 and 682;)	
Effective May 24, 2001.)	

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 22, 2001, commissioners Robert Johnstone, Thomas E.E. Bunn and Leslie Lewis being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. On August 13, 1998 the Board adopted Ordinance 654 authorizing future imposition of transportation system development charges. Ordinance 654 became effective November 16, 1998. Thereafter, on June 17, 1999 the Board adopted Board Order 99-424 to impose transportation system development charges in the unincorporated area of Yamhill County beginning July 1, 1999.

B. On February 1 and February 8, 2001 the Board held a public hearing to consider the following questions:

1. Should the Transportation System Development Charge Ordinance, Ordinance 654 as amended, be repealed? (Ordinance 654, as amended, was adopted August 13, 1998 to enable the Board to later impose transportation system development charges if it determined system development charges were appropriate.)
2. Should Board Order 99-424 be repealed? (Board Order 99-424 was adopted June 17, 1999. It imposed transportation system development charges on new development in the unincorporated areas of Yamhill County effective July 1, 1999.)
3. If the Ordinance and Board Order are repealed, should any of the amounts collected for transportation system development charges after July 1, 1999 be refunded?

C. At the conclusion of the February 8, 2001 public hearing, a majority of the Board determined that the Transportation System Development Charge Ordinance and Board Order 99-424 should be repealed. However, the Board determined to further study the question of whether any amounts collected should be refunded.

D. The Board took action on February 8, 2001 to repeal Board Order 99-424 effective February 9, 2001. On February 8, 2001 the Board held the first reading of this ordinance. This ordinance is necessary to repeal the Transportation System Development Charge Ordinance. NOW, THEREFORE

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

SECTION 1 REPEAL OF TRANSPORTATION SYSTEM DEVELOPMENT CHARGE ORDINANCE.

Ordinance 654 (August 13, 1998), Ordinance 675 (December 9, 1999) and Ordinance 682 (June 15, 2000) are hereby repealed.

SECTION 2 DISPOSITION OF AMOUNTS COLLECTED UNDER AUTHORITY OF TRANSPORTATION SYSTEM DEVELOPMENT CHARGE ORDINANCE.

Any sums collected under authority of Ordinances 654, 675 and 682 will be expended or refunded as the Board shall determine by future Board Order consistent with requirements of applicable law.

SECTION 3 EFFECTIVE DATE

The first reading of this ordinance was made February 8, 2001. The second reading was made February 22, 2001. In accordance with ORS 203.045(9), this ordinance shall become effective on May 24, 2001.

AYES: Mr. Bunn; Mrs. Lewis.

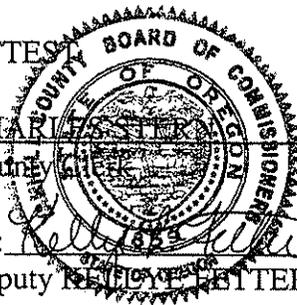
NAYS: Mr. Johnstone.

DONE at McMinnville, Oregon on February 22, 2001.

ATTEST

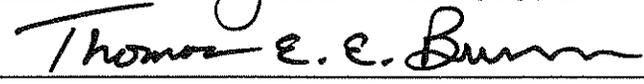
CHARI...
County Clerk

By: 
Deputy County Clerk

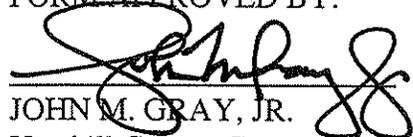


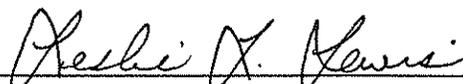
YAMHILL COUNTY BOARD OF COMMISSIONER


Chairman ROBERT JOHNSTONE


Commissioner THOMAS E. E. BUNN

FORM APPROVED BY:


JOHN M. GRAY, JR.
Yamhill County Counsel


Commissioner LESLIE LEWIS

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