

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 Ordinance 763 and)
Reinstating Ordinance 558 as) ORDINANCE 766
Amended by Ordinance 574;)
Declaring an Emergency;)
Effective Immediately.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on March 30, 2005 commissioners Mary P. Stern, Leslie Lewis and Kathy George being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. On March 9, 2005 the Board adopted Ordinance 763. Ordinance 763, which was effective immediately, repealed Ordinance 558 as amended by Ordinance 574 to establish new general provisions for use, construction and installations in Yamhill County public rights of way.

B. Portland General Electric company, a private utility company franchised to do business in much of Yamhill County, has expressed opposition to certain parts of Ordinance 763 and has requested the Board to reconsider the ordinance.

C. The Board is willing to adopt this ordinance to repeal Ordinance 763 and reinstate its predecessor to allow the Director of Public Works to meet with interested parties to explore whether the general provisions established by Ordinance 763 should be modified or reinstated. It is anticipated that the Board will receive the Director's recommendation by mid-May, 2005. This ordinance is necessary to give the Director adequate time to prepare a recommendation after considering information from interested parties. NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

Section 1. **Repeal of Ordinance 763.** Ordinance 763 is hereby repealed.

Section 2. **Reinstatement of Ordinance 558, as amended by Ordinance 574.** Ordinance 558, as amended by Ordinance 574, is hereby reinstated in full force and effect.

Section 3. **Effective date; emergency clause.** The first and second readings of this ordinance were made March 30, 2005. To carry out the intent of this ordinance an emergency is hereby declared to exist. In accordance with ORS 203.045(4) this ordinance shall take effect immediately.

AYES: Commissioners Stern, Lewis and George.

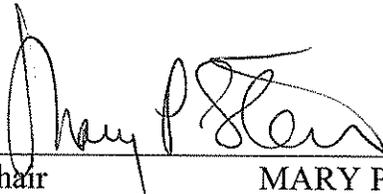
DONE at McMinnville, Oregon on March 30, 2005.

ATTEST

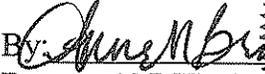
YAMHILL COUNTY BOARD OF COMMISSIONERS

JAN COLEMAN

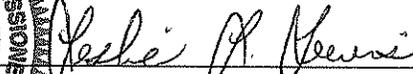
County Clerk


Chair

MARY P. STERN

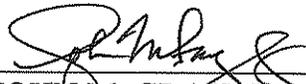
By: 
Deputy ANNE BRIANT

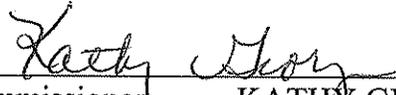



Commissioner

LESLIE LEWIS

FORM APPROVED BY:


JOHN M. GRAY, JR.
Yamhill County Legal Counsel


Commissioner

KATHY GEORGE