

ORDINANCE NO. 344

AN ORDINANCE AMENDING SECTION 6.810 OF
ORDINANCE NO. 290 REGARDING ABATEMENT
PROCEDURES AND DECLARING AN EMERGENCY

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

Section One. Section 6.810 of Ordinance 290 is amended as follows:

6.810 Abatement Procedures - By the City.

(1) If within the time allowed, the nuisance has not been abated by a person responsible, the council may cause the nuisance to be abated.

(2) The officer charged with abatement of the nuisance shall have the right at reasonable times, to enter into or upon property, in accordance with law, to investigate or cause the removal of a nuisance.

(3) The city administrator shall keep an accurate record of the expenses incurred by the city in physically abating the nuisance and shall include therein all direct and indirect costs.

Section Two. Section 6.820 of Ordinance 290 is amended as follows:

6.820 Abatement Procedures - Assessment of Costs.

(1) The city administrator, by registered or certified mail, postage prepaid, shall forward to a person responsible a notice stating:

(a) The total cost of abatement including all direct and indirect costs.

(b) That the cost as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice.

(c) That if the person responsible objects to the cost of the abatement as indicated, he or she may file a written notice of objection with the city administrator, not more than 10 days from the date of the notice.

(2) Upon the expiration of 10 days after the date of the notice, the council, in the regular course of business, shall hear and determine the objections to the costs assessed.


(3) If the cost of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs as stated or as determined by the council, shall be made by resolution and shall thereupon be entered in the docket of city liens; and, upon such entry being made, shall constitute a lien upon the property from which the nuisance was removed or abated.

(4) The lien shall be enforced in the same manner as liens for street improvements and shall bear interest at the same rate as street improvements. The interest shall commence from date of the entry of the lien in the lien docket.

(5) An error in the name of a person responsible shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

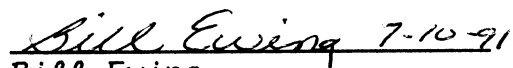
Section Three. This ordinance affects the public peace, health and safety of the City of Drain and, therefore, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its passage.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY, STATE OF OREGON, THIS 8TH DAY OF JULY, 1991.



Grant S. Levins
Mayor

ATTEST:



Bill Ewing
City Administrator