

**ORDINANCE NO. 211A**

**AN ORDINANCE REPEALING ORDINANCE NO. 203 ENTITLED “SEPTIC SYSTEM MAINTENANCE” AND ESTABLISHING AN EDUCATIONAL PROGRAM TO ENSURE SEPTIC SYSTEM MAINTENANCE**

**WHEREAS**, the Dunes City Council adopted Ordinance No. 203, on January 14, 2010, which established Chapter 157 within the Dunes City Code of Ordinances entitled “Septic System Maintenance” and;

**WHEREAS**, the Dunes City Council reviewed the maintenance, inspection and reporting requirements of Ordinance 203 and initiated amendments to the septic system maintenance standards;

**WHEREAS**, the Dunes City Planning Commission held a public hearing on Ordinance Number 211A on October 27, 2011 after sending notice to all required parties;

**WHEREAS**, the Dunes City Council held a public hearing on Ordinance Number 211A on November 10, 2011, after receiving the Planning Commission’s recommendation;

**WHEREAS**, the Dunes City Council finds it is not in the best interests of Dunes City residents to establish mandatory septic inspections, evaluations or pumping;

**WHEREAS**, the State of Oregon has reserved unto itself, unless it has entered into an agreement with one of its counties pursuant to ORS 454.725, jurisdiction over wastewater disposal systems in the State of Oregon; and

**WHEREAS**, the State of Oregon has entered into an agreement pursuant to ORS 454.725 with Lane County, Oregon, for the oversight of wastewater disposal systems in Lane County;

**WHEREAS**, the Dunes City Council finds it is in the best interests of Dunes City residents to establish an educational program to ensure adequate septic system maintenance;

**WHEREAS**, the Dunes City Council finds Ordinance Number 211A meets all applicable criteria of the Dunes City Code, Dunes City Comprehensive Plan and Oregon State Laws;

**NOW, THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:**

**Section 1:**    Repeal.

The repeal of Ordinance 203 shall not affect any action occurring before the repeal takes effect. Ordinance Number 203 is hereby repealed and replaced with an educational program for septic system maintenance, to be implemented within one year of adoption of this ordinance.

**Section 2:**    Findings of Fact.

Dunes City adopts the findings of fact in Exhibit A as the basis for the decision to adopt this ordinance.

**Section 3:** Effective Date.

According to Dunes City's Charter, this ordinance will become effective 30 days after adoption.

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Passed at the second reading, placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this 10<sup>th</sup> day of November, 2011.

Ayes:   4   Nays:   2   Abstain:      Absent:      Vacant:     

**ADOPTED BY THE DUNES CITY COUNCIL THIS 10<sup>th</sup> DAY OF NOVEMBER, 2011.**

  
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Rebecca Ruede, Mayor

ATTEST:

  
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Fred Hilden, City Recorder