

ORDINANCE NO. 234

AN ORDINANCE CORRECTING ORDINANCE NO. 231-A, AND SPECIFICALLY SECTION 51.20 ENTITLED “DEFINITIONS” BY AMENDING THE DEFINITION OF WATER DISTRIBUTION COMPANIES TO COMPLY WITH OREGON STATUTE AND ADMINISTRATIVE RULES.

WHEREAS, the Dunes City Council adopted Ordinance No. 231-A on February 11, 2016 which authorized the sharing of the City’s domestic water right and establishing requirements, applications, fees, costs and penalties associated therewith; and

WHEREAS, language contained in Ordinance No. 231-A which defines “Water Distribution Companies” conflicts with the definition as defined by Oregon Administrative Rule 333-061-0020; and

WHEREAS, Dunes City desires to ensure its Code provisions are compatible with State law, rules and regulations;

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

Section 1. Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.20, definition of “Water Distribution Companies” is amended to read as follows:

“WATER DISTRIBUTION COMPANIES. A for-profit corporation or other entity, including homeowner associations, the has fifteen (15) or more service connections used by year-round residents, or that regularly serves 25 or more year-round residents.”

Section 2. Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.40(D), is amended to read as follows:

“Water Distribution Companies. A for profit corporation, or other entity, including homeowner associations, that has fifteen (15) or more service connections used by year-round residents, or that regularly serves twenty-five (25) or more year-round residents, that desires to apply for a permit to utilize Dunes City’s domestic water right permit for diversion of water from Woahink Lake to serve property within Dunes City and that has not already been diverting water under an existing Dunes City domestic water right permit, must make application to Dunes City on forms provided by Dunes City. The application must be accompanied by an application fee as set by the City Council and include a survey prepared by an Oregon licensed surveyor designating each point of diversion and each proposed place of use. No more than two (2) points of diversion per tax lot will be permitted.”

Section 3. Effective Date

An emergency exists in that the error contained in Ordinance 231-A is not in the best interests of the residents of Dunes City and should not be allowed to continue. Consequently, the provisions of this ordinance will become effective immediately to correct the errata found in Ordinance No. 231-A.

Passed at the first reading in regular meeting of the City Council of Dunes City, Oregon, on this 10 day of march, 2016.

Ayes: 4 Nays: 0 Abstain: 0 Absent: 2 Vacant 0

Passed at the second reading and placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this 10 day of march, 2016.

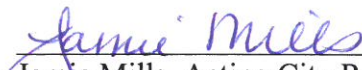
Ayes: 4 Nays: 0 Abstain: 0 Absent: 2 Vacant 0

ADOPTED BY THE DUNES CITY COUNCIL, THIS 10 DAY OF march, 2016



Rebecca Ruede, Mayor

ATTEST:



Jamie Mills, Acting City Recorder