

ORDINANCE NO. 181

AN ORDINANCE IMPOSING A MORATORIUM ON LAND DEVELOPMENT PROHIBITING THE ACCEPTANCE OF APPLICATIONS FOR PARTITIONS, SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS IN THE CITY OF DUNES CITY, AND DECLARING AN EMERGENCY

The City of Dunes City Finds:

- A. The residents of Dunes City primarily rely upon the surface waters of Woahink and Siltcoos Lakes for their potable water; and
- B. The residents of Dunes City rely upon subsurface disposal systems to treat their sewage effluent; and
- C. Subsurface disposal system effluent contain nitrates and phosphorus that eventually migrate into groundwater and surface water sources, providing nutrients that enrich phytoplankton populations; and
- D. Nutrients are also introduced into surface waters through erosion and run-off.
- E. Woahink Lake is more susceptible to changes in water quality than any other lake in its watershed. Both Woahink and Siltcoos Lakes have experienced episodes of rapid growth of phytoplankton populations (algae bloom) in recent years; and
- F. Subsurface disposal system effluent also contains fecal coliform that can transmit water-borne disease; and
- G. Several cases of water-borne diseases, including Plesiomonas shigellodies, have been documented in Siltcoos Lake within the last year.
- H. A 1972 Lane County survey of septic tanks found that 26 percent of all tanks located within 100 feet of Woahink Lake were performing unsatisfactorily.
- I. It is a very difficult and slow process to rehabilitate the water quality of a lake that has been compromised. Dunes City's low land use density would exacerbate the cost of developing a distribution system for a water treatment facility.

NOW, THEREFORE,

THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:

Section 1. In accordance with ORS 197.505 – 197.540, and based on the above findings, and the findings attached as Exhibit “A” hereto and incorporated herein by reference, the City adopts a moratorium on certain types of intensive land development,

as of the effective date of this Ordinance. No land use applications shall be accepted, processed or issued for partitions, subdivisions, and planned unit developments.

Section 2. That the matters contained herein concern the public health, welfare and safety and therefore, an emergency is hereby declared to exist, and this Ordinance shall become effective immediately upon its passage by the Common Council and approval by the Mayor.

Section 3. This ordinance shall expire on July 14, 2006 at midnight unless otherwise provided by an ordinance extending the moratorium established herein, in accordance with ORS 197.530(2).

ADOPTED BY THE DUNES CITY COUNCIL THIS 13th DAY OF April, 2006.

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

Sheldon Meyer, Mayor

Joanne Hickey, City Recorder