

ORDINANCE NO. 2000

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
AMENDING MILWAUKIE MUNICIPAL CODE CHAPTER 8.04.200 ASSESSMENT OF
COSTS.**

WHEREAS, Chapter 8.04 addresses nuisances and subsequent sections outline processes and responsibilities of the affected parties including provisions for the manner in which objections are filed and costs assessed;

WHEREAS, it was determined clarifying language regarding the filing of objections by the owner or person in charge is desirable;

WHEREAS, a rate of interest allowed at statutory amounts pursuant to ORS 82.010(2) was advantageous to identifying a fixed percentage in the Milwaukie Municipal Code; and

WHEREAS, all other sections of Chapter 8.04.200 remain as written;

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS
FOLLOWS:**

Section 1. Section 8.04.200.B is amended to read as follows:

4. If an objection is filed by the owner or person in charge of a property within ten (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 to be assessed.

Section 2. Section 8.04.200.C is amended to read as follows:

B. If the costs of the abatement are not paid within thirty (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.

Section 3. Section 8.04.200.D is amended to read as follows:

C. The lien shall be enforced in the same manner as liens for street improvements are enforced, and shall bear interest at the statutory amounts as allowed by ORS 82.010(2). Such interest shall commence to run from date of entry of the lien in the lien docket.

Section 4. 8.04.200.E is amended to read as follows:

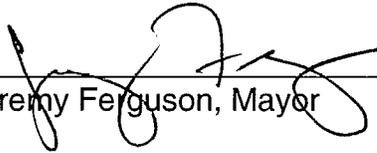
D. An error in the name of the owner or person in charge of the property shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property

Section 6. All other sections of Chapter 8.04.200 remain as written

Read the first time on 4/21/09, and moved to second reading by 5-0 vote of the City Council.

Read the second time and adopted by the City Council on 4/21/09

Signed by the Mayor on 4/21/09



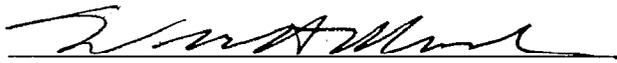
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC



Pat DuVal, City Recorder



City Attorney