ORDINANCE No. 533

An Ordinance granting permission for the formation of or inclusion in water control districts of areas lying with the City of Milwaukie, subject to flood from Johnson Creek, and declaring an emergency.

The City of Milwaukie does ordain as follows;-

Section 1. The Council finds that under Chapter 289, Oregon Laws 1947 and Chapter 337 Oregon Laws 1949 water control districts may be formed in areas subject to flooding in order that such areas may assess themselves for the costs of constructing flood control works for their own benefit; the Council further finds that property along and adjacent to Johnson Creek within the City of Milwaukie is subject to repeated floods during the rainy season and that a number of property owners in such area have requested the City of Milwaukie for permission to include such areas in water control districts and that under the aforesaid laws, such permission of the City of of Milwaukie is necessary; now, therefore permission is granted to the area with the City of Milwaukie along and adjacent to Johnson Creek which is subject to water damage as the result of flood in Johnson Creek, to be included in existing water control districts lying outside the City of Milwaukie and along said Johnson Creek, or in new districts to be formed. This permission is granted in order that such districts may be formed or existing districts extended under Chapter 289, Oregon Laws, 1947 and Chapter 337, Oregon Laws, 1949, and it is understood that organization and extension of such districts shall be perfected by the interested property owners and residents of such area, and that the costs of such flood control measures as are adopted by said districts shall not be a liability of the City of Milwaukie, but rather shall be assessed and collected in the manner provided by law for water control districts. The exact boundaries of the area for which this permission is granted shall be approved by the City Engineer before proceedings for the formation or extension of such districts within the City are completed

and the Engineer's standard for guidance in determining such boundaries shall be that such districts shall only include areas in the City which are subject to flood from Johnson Creek, and that can receive direct benefits from flood control measures taken to control the water of said Creek.

Section 2. In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Milwaukie in this;- That it is necessary to take immediate legal steps to icnlude such areas in water control districts in order that construction may commence without delay upon flood control works on Johnson Creek in the City of Milwaukie; therefore an emergency hereby is d lared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and signature by the mayor.

Passed this 2[illegible] day of October, 1949.

Signed by the Mayor this 2[illegible] day of October, 1949

Mayor

ATTEST

CITY RECORDED.