

ORDINANCE NO. 2713

AN ORDINANCE PROVIDING FOR FUTURE ASSESSMENT OF PROPERTY BY REASON OF BENEFITS FROM SPECIAL IMPROVEMENTS:

Recitals:

1. There is property, both in and out of the city which may not be benefitted by special improvements, particularly by sewer, at the time of the construction of the improvement because of the topography of the property or because it is beyond the present city limits.
2. However, if the property is later benefitted by the special improvement by reason of a change in topography, such as filling, or by drainage, or by annexation, the property then benefitted should pay a proportionate share of the cost of the original improvement.
3. By reason of the necessity for paying for the improvement at the time of construction, the funds derived from assessments against property subsequently benefitted by special improvements should be paid into such funds that the council should direct at the time of assessment.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Council shall assess property which shall benefit from prior special improvements by reason of annexation, change in topography, drainage or other reasons in an amount proportionate to the amount that said property would have been assessed had the original improvement so benefitted the property.

Section 2: The Council shall determine the probable amount of the assessment by resolution and direct the Recorder to give notice of the proposed assessment by certified mail addressed to the last known address of the person currently assessed for the property as shown by the records of the Linn County Assessor. The property owner shall have thirty days after the date of postmark of the notice to protest the proposed assessment. If no protest is made the Council shall proceed to assess the property accordingly. If a protest is made, the Council shall set a time for hearing upon the matter and shall notify the protesting party of said hearing. The Council's determination of the amount of the assessment shall be final and conclusive.

Section 3: Funds derived from the assessments as herein provided shall be credited to such account as the Council shall direct.

Passed by the Council: December 12, 1956

Approved by the Mayor: December 12, 1956



Mayor

ATTEST:


Recorder