

ORDINANCE NO. 4955

AN ORDINANCE PROVIDING FOR THE CALLING OF AN ELECTION ON THE 25TH DAY OF JUNE, 1991, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED ELECTORS OF THE UNINCORPORATED BENTON COUNTY PORTION OF THE ALBANY URBAN GROWTH BOUNDARY, THE QUESTION OF ANNEXING SAID TERRITORY INTO THE CITY OF ALBANY, AND DECLARING AN EMERGENCY.

WHEREAS, in 1989, the State of Oregon declared that a Health Hazard existed in portions of the North Albany Urban Growth Boundary due to inadequate sewage disposal.

WHEREAS, in 1990 Benton County and the City of Albany adopted an Alternative Plan to Health Hazard Annexation to alleviate this hazardous condition.

WHEREAS, because the passage of Ballot Measure 5 made some of the provisions of the Alternative Plan financially infeasible, an amendment to the timetable of the Alternative Plan was approved by the State Environmental Quality Commission. The amendment provided additional time to develop other financing options.

WHEREAS, public meetings have been held with the North Albany Citizen's Advisory Committee, Benton County representatives, and the citizens of the North Albany to discuss annexation and options to the Alternative Plan.

WHEREAS, an annexation election and annexation petition drive were identified as desirable courses of action at these meetings.

WHEREAS, the City Council of the City of Albany supports the concept of annexation at this time.

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

Section 1: Date of Election.

The measure set forth in Section 2 of this Ordinance shall be submitted in the manner prescribed herein to the registered electors of the unincorporated Benton County portion of the Albany Urban Growth Boundary in an election to be held on June 25, 1991.

Section 2: Form of Question.

There shall be submitted to the registered electors of the unincorporated, Benton County portion of the Albany Urban Growth Boundary, for their approval or rejection, the following question:

"Should North Albany be annexed to the City of Albany"?

Section 3: Vote By Mail Election Permitted.

The County Clerk of Benton County may, at his discretion, conduct the annexation election by mail in accordance with all applicable election laws.

Section 4: Notice of Election.

Notice of the annexation election shall be given by the County Clerk and City Recorder as provided in the general election laws of the State of Oregon and Charter of the City of Albany.

Section 5: Voters' Pamphlets Unnecessary.

It shall be unnecessary for the City of Albany, or any official thereof to furnish the registered electors of the unincorporated, Benton County portion of the Albany Urban Growth Boundary, who are eligible to vote in the annexation election, pamphlets either containing: (a) the text of the proposition, or (b) arguments in support of or in opposition to the proposition.

Section 6: Ballot Title.

The following is the form in which the question shall be printed on the official ballot:

ANNEXATION OF NORTH ALBANY INTO THE CITY OF ALBANY

Should North Albany be annexed to the City of Albany?

The land to be annexed is the Benton County portion of the Albany Urban Growth Boundary outside of the City. It is bounded by Highway 20, and by Scenic Drive and includes a number of neighborhoods served by North Albany Road, Valley View Drive, Crocker Lane, Gibson Hill Road, and Spring Hill Drive.

The State will force the City to annex the health hazard portion of this land. Many people outside the health hazard area have asked to be annexed as well.

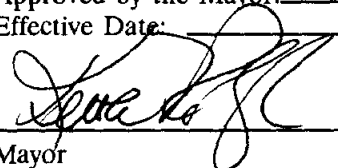
Annexation will not cause sewers to be built outside the health hazard boundary unless asked for by most of the people in the area to be served. Likewise, other improvements such as sidewalks and street lights will not be required to serve homes and lots now in place.

If the land is annexed, water rates will ~~go down~~ change to City rates.

Section 7: Emergency Clause.

WHEREAS, it is in the betterment of the public health, interest, safety, and general welfare of the City of Albany that this matter be disposed of at the earliest possible moment, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: May 20, 1991
Approved by the Mayor: May 21, 1991
Effective Date: May 20, 1991



Mayor

ATTEST:



City Recorder