

ORDINANCE NO. 2017-03

AN ORDINANCE OF THE OTTER ROCK WATER DISTRICT, ADOPTING THE SEPTEMBER 2017 OTTER ROCK WATER DISTRICT WATER SYSTEM FEASIBILITY STUDY AND PLANNING SUPPORT DOCUMENT

Annotated to show deletions and additions to the code sections being modified. Deletions are bold lined through and additions are bold underlined.

WHEREAS, the Otter Rock Water District (hereinafter "District") is a properly formed Domestic Water Supply District created under ORS Chapter 264; and

WHEREAS, the District is expressly authorized by Oregon Revised Statutes Chapter 264 to adopt regulations, rates, fees and charges concerning the provision of water service; and

WHEREAS, on October 10, 2017, the District conducted a duly noticed public hearing to seek public input on the proposed Ordinance and Feasibility Study; and

WHEREAS, at such public hearing all interested parties were provided an opportunity to be heard; and

WHEREAS, the District continued the public hearing to October 24, 2017 and directed staff to send postcard notices to all ratepayers informing them of the public hearing; and

WHEREAS, on October 24, 2017, the District conducted the duly noticed continued public hearing and all interested parties were provided an opportunity to be heard; and

WHEREAS, the District fully complied with ORS 198.540 procedures for Ordinance adoption; and

WHEREAS, after considering written and oral comments from the public, on October 10, 2017, pursuant to published notice, the District conducted and approved First Reading of Ordinance 2017-03; and

WHEREAS, on October 24, 2017, after the conclusion of the continued public hearing, the District conducted and approved Second Reading and adoption of the Ordinance.

THE OTTER ROCK WATER DISTRICT ORDAINS AS FOLLOWS:

SECTION 1. Adoption of Study. The Otter Rock Water District adopts the "September 2017 Water System Feasibility Study and Planning Support" document, (hereinafter "2017 Feasibility Study") as set forth in Exhibit A attached hereto and made a part hereof by this reference.

SECTION 2. Use of 2017 Feasibility Study. The District shall use the Feasibility Study as a basis for future capital improvement planning, budgeting, loan and grant applications, development of future system development charges, fees, and assessments and such other uses as are appropriate. Any inconsistent plans, or studies, whether previously adopted or

NOV 06 2017

AT O'CLOCK M  
DANA W. JENKINS, COUNTY CLERK  
BY



1 established by Ordinance or Resolution which directly conflict with, or cannot be reconciled  
2 with, the 2017 Feasibility Study, shall be ineffective.

3  
4 **SECTION 4 Findings Adopted.** The findings contained in the Whereas Clauses of this  
5 ordinance together with the competent substantial evidence in the record of this legislative  
6 proceeding are incorporated into this section by reference as if fully set forth herein, and are  
7 adopted in support of this legislative action.

8  
9 **SECTION 5. Severability.** The sections, subsections, paragraphs and clauses of  
10 this ordinance are severable. The invalidity of one section, subsection, paragraph,  
11 or clause shall not affect the validity of the remaining sections, subsections,  
12 paragraphs and clauses.

13  
14 **SECTION 6. Ordinance Effective Date**

15 This Ordinance shall be effective 30 days after its enactment. .

16  
17 Following a motion to be read by Title only, the foregoing ordinance was distinctly read by  
18 Title only in accordance with Oregon Revised Statutes on the 10<sup>th</sup> of October, 2017 (First  
19 Reading).

20  
21 Pursuant to ORS 198.550, the Ordinance was distinctly read at a Second Meeting at least six  
22 days after the First Reading, at a Special Meeting on the 24<sup>th</sup> day of October 2017 (Second  
23 Reading).

24  
25 PASSED AND ADOPTED by the Board of Commissioners of the Otter Rock Water District  
26 this 24<sup>th</sup> day of October, 2017.

27		
28	Vote:	Yes / No
29	Commissioner 1	<u>yes</u>
30	Commissioner 2	<u>          </u>
31	Commissioner 3	<u>yes</u>
32	Commissioner 4	<u>yes</u>
33	Commissioner 5	<u>yes</u>

34  
35 Rod Zawalski 10/24/2017  
36 ROD ZAWALSKI, DATE  
37 BOARD PRESIDENT

38 ATTEST:

39  
40  
41  
42 **FILED**

NOV 06 2017

\_\_\_\_\_  
BOARD SECRETARY,      DATE

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
DANA W. JENKINS, COUNTY CLERK  
BY \_\_\_\_\_  
DEPUTY

