

# House Bill 3014

Sponsored by Representatives KRUMMEL, GREENLICK; Representatives C EDWARDS, GARRARD

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Department of Land Conservation and Development and Economic and Community Development Department to provide assistance, including grants, loans, model ordinances and technical assistance, to persons planning and preparing for possible incorporation or consolidation of area into new city.

## A BILL FOR AN ACT

1  
2 Relating to formation of a city; creating new provisions; and amending ORS 197.717 and 221.005.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The joint program described in ORS 197.717 (4) shall include assistance**  
5 **for the planning and preparation required by:**

6 (a) **ORS 199.476, 221.031, 221.034, 221.035, 221.036 and 221.040 to file a petition for incorpo-**  
7 **ration of a city and an economic feasibility statement.**

8 (b) **ORS 222.210, 222.220, 222.225 and 222.230 to file a petition for the consolidation of ad-**  
9 **joining or nonadjoining territory into a city.**

10 (2) **Upon request of persons who are designated, or who propose to be designated, as chief**  
11 **petitioners, the Department of Land Conservation and Development and the Economic and**  
12 **Community Development Department jointly shall consider and may provide the types of**  
13 **assistance described in ORS 197.717 (4) to facilitate the planning and preparation required**  
14 **by a proposal to:**

15 (a) **Incorporate a city under ORS 199.476 and 221.020 to 221.100.**

16 (b) **Consolidate adjoining or nonadjoining territory into a city pursuant to ORS 222.210**  
17 **to 222.310.**

18 (3) **The Department of Land Conservation and Development and the Economic and Com-**  
19 **munity Development Department may provide assistance under this section when the pro-**  
20 **posed incorporation or consolidation appears, in the discretion of the departments, to be**  
21 **viable and to promote economic and community development that is beneficial and appro-**  
22 **priate to the areas proposed for incorporation or consolidation.**

23 **SECTION 2. ORS 197.717 is amended to read:**

24 197.717. (1) State agencies shall provide technical assistance to local governments in:

25 (a) Planning and zoning land adequate in amount, size, topography, transportation access and  
26 surrounding land use and public facilities for the special needs of various industrial and commercial  
27 uses;

28 (b) Developing public facility plans; and

29 (c) Streamlining local permit procedures.

30 (2) The Economic and Community Development Department shall provide a local government

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 with “state and national trend” information to assist in compliance with ORS 197.712 (2)(a).

2 (3) The Land Conservation and Development Commission shall develop model ordinances to as-  
 3 sist local governments in streamlining local permit procedures.

4 (4) The Department of Land Conservation and Development and the Economic and Community  
 5 Development Department shall establish a joint program to assist rural communities with economic  
 6 and community development services, **including providing the assistance under section 1 of this**  
 7 **2007 Act**. The assistance shall include, but not be limited to, grants, loans, model ordinances and  
 8 technical assistance. The purposes of the assistance are to remove obstacles to economic and com-  
 9 munity development and to facilitate that development. The departments shall give priority to com-  
 10 munities with high rates of unemployment.

11 **SECTION 3.** ORS 221.005 is amended to read:

12 221.005. The Legislative Assembly finds that the provisions of ORS 199.476, 221.031, **221.034,**  
 13 **221.035, 221.036,** 221.040, 221.061, 221.106, 221.735 and this section are necessary to provide for the  
 14 orderly incorporation of territory adjoining existing cities. However, the Legislative Assembly does  
 15 not intend that the incorporation of such territory affect the authority of special districts to enter  
 16 into agreements with cities newly incorporated under ORS 199.476, 221.031, **221.034, 221.035,**  
 17 **221.036,** 221.040, 221.061, 221.106, 221.735 and this section for the performance of functions, services  
 18 and activities by the district within the boundaries of the city.

19 **SECTION 4. Section 1 of this 2007 Act and the amendments to ORS 197.717 and 221.005**  
 20 **by sections 2 and 3 of this 2007 Act apply to proposals to incorporate a city and to proposals**  
 21 **to consolidate adjoining or nonadjoining territory into a city for which a petition is filed on**  
 22 **or after the effective date of this 2007 Act.**