

House Bill 3304

Sponsored by Representatives CLEM, KRUMMEL; Representatives DALLUM, C EDWARDS, NELSON, Senators AVAKIAN, WALKER

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**.

Requires city to allow electors in surrounded territory proposed to be annexed to vote if city charter, ordinance or resolution requires city to hold election in city. Requires that votes from city and territory be counted separately to determine separate majorities in election if acreage to be annexed is five acres or more. Requires that votes from city and territory be combined to determine single majority in election if acreage to be annexed is less than five acres.

A BILL FOR AN ACT

1
2 Relating to island annexation; creating new provisions; and amending ORS 222.750.

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

4 **SECTION 1.** ORS 222.750 is amended to read:

5 222.750. (1) When territory not within a city is surrounded by the corporate boundaries of the
6 city, or by the corporate boundaries of the city and the ocean shore or a stream, bay, lake or other
7 body of water, it is within the power and authority of that city to annex such territory. However,
8 this section does not apply when the territory not within a city is surrounded entirely by water.

9 (2) Unless otherwise required by its charter, annexation by a city under this section shall be
10 by ordinance or resolution subject to referendum, with or without the consent of any owner of
11 property within the territory or resident in the territory.

12 (3) **If a city charter, ordinance or resolution requires the city to allow electors in the city
13 to vote on the question of annexing territory described in subsection (1) of this section, the
14 city shall allow electors in the territory proposed to be annexed to vote in the election. If the
15 area proposed to be annexed:**

16 (a) **Includes five acres or more, the annexation is approved if the governing body of the
17 city finds that a majority of the votes cast in the territory and a majority of the votes cast
18 in the city favor annexation.**

19 (b) **Includes less than five acres, the annexation is approved if the governing body of the
20 city finds that a majority of the votes cast in the city and the territory combined favor
21 annexation.**

22 (4) **If annexation is approved, the governing body, by ordinance or resolution, shall pro-
23 claim the annexation approved in a proclamation that contains a legal description of each
24 territory annexed.**

25 **SECTION 2.** The amendments to ORS 222.750 by section 1 of this 2007 Act apply to an
26 annexation under ORS 222.750 that takes effect on or after the effective date of this 2007 Act.
27

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.