

Senate Bill 806

Sponsored by COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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**.

Prohibits local laws that discourage use of xeriscaping for commercial or industrial structures.

A BILL FOR AN ACT

1
2 Relating to landscaping.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Commercial or industrial structure" means a structure that is not designed prima-**
6 **rily for residential occupancy or local government use.**

7 (b) **"Local government" has the meaning given that term in ORS 174.116.**

8 (c) **"Xeriscaping" means the selection of drought tolerant plants, the minimization of**
9 **evaporation and runoff and the use of other landscape design features that minimize the**
10 **need of the landscape for supplemental water from irrigation.**

11 (2) **Except as provided in subsection (3) of this section, a local government may not adopt**
12 **or enforce an ordinance, rule or regulation to prohibit, restrict, condition or penalize the use**
13 **of xeriscaping on the curtilage of a commercial or industrial structure.**

14 (3) **Subsection (2) of this section does not prohibit a local government from enforcing any**
15 **contractual right of the local government with regard to the installation and maintenance**
16 **of landscaping for a commercial or industrial structure developed in whole or in part with**
17 **funding provided by the local government.**

18

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.