

# D R A F T

## SUMMARY

Requires local governments, including special districts, to enter into urban service agreements not later than January 1, 2015.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to urban service agreements; amending ORS 195.020 and 195.085; and  
3 declaring an emergency.

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

5 **SECTION 1.** ORS 195.085 is amended to read:

6 195.085. *[(1) No later than the first periodic review that begins after No-*  
7 *vember 4, 1993,]* Local governments *[and]*, **including** special districts, shall  
8 demonstrate compliance with ORS *[195.020 and]* 195.065 **no later than Jan-**  
9 **uary 1, 2015.**

10 *[(2) The Land Conservation and Development Commission may adjust the*  
11 *deadline for compliance under this section when cities and counties that are*  
12 *parties to an agreement under ORS 195.020 and 195.065 are scheduled for pe-*  
13 *riodic review at different times.]*

14 *[(3) Local governments and special districts that are parties to an agreement*  
15 *in effect on November 4, 1993, which provides for the future provision of an*  
16 *urban service shall demonstrate compliance with ORS 195.065 no later than*  
17 *the date such agreement expires or the second periodic review that begins after*  
18 *November 4, 1993, whichever comes first.]*

19 **SECTION 2.** ORS 195.020 is amended to read:

20 195.020. (1) Special districts shall exercise their planning duties, powers

1 and responsibilities and take actions that are authorized by law with respect  
2 to programs affecting land use, including a city or special district boundary  
3 change as defined in ORS 197.175 (1), in accordance with goals approved  
4 pursuant to ORS chapters 195, 196 and 197.

5 (2) A county assigned coordinative functions under ORS 195.025 (1), or  
6 [*the Metropolitan Service District*] **Metro**, which is assigned coordinative  
7 functions for Multnomah, Washington and Clackamas counties by ORS  
8 195.025 (1), shall enter into a cooperative agreement with each special dis-  
9 trict that provides an urban service within the boundaries of the county or  
10 the metropolitan **service** district. A county or [*the Metropolitan Service*  
11 *District*] **Metro** may enter into a cooperative agreement with any other spe-  
12 cial district operating within the boundaries of the county or the metropol-  
13 itan **service** district.

14 (3) The appropriate city and county and, if within the boundaries of [*the*  
15 *Metropolitan Service District, the Metropolitan Service District,*] **Metro**,  
16 **Metro** shall enter into a cooperative agreement with each special district  
17 that provides an urban service within an urban growth boundary. The ap-  
18 propriate city and county, and [*the Metropolitan Service District*] **Metro**, may  
19 enter into a cooperative agreement with any other special district operating  
20 within an urban growth boundary.

21 (4) The agreements described in subsection (2) of this section shall con-  
22 form to the requirements of paragraphs (a) to (d), (f) and (g) of this sub-  
23 section. The agreements described in subsection (3) of this section shall:

24 (a) Describe how the city, [*or*] county **or Metro** will involve the special  
25 district in comprehensive planning, including plan amendments, periodic re-  
26 view and amendments to land use regulations;

27 (b) Describe the responsibilities of the special district in comprehensive  
28 planning, including plan amendments, periodic review and amendments to  
29 land use regulations regarding provision of urban services;

30 (c) Establish the role and responsibilities of each party to the agreement  
31 with respect to city, [*or*] county **or Metro** approval of new development;

1 (d) Establish the role and responsibilities of the city, [or] county **or**  
2 **Metro** with respect to **metropolitan service** district interests including,  
3 where applicable, water sources, capital facilities and real property, includ-  
4 ing rights of way and easements;

5 (e) Specify the units of local government [*which shall*] **that must** be  
6 parties to an urban service agreement under ORS 195.065;

7 (f) If [*a Metropolitan Service District*] **Metro** is a party to the agreement,  
8 describe how [*the Metropolitan Service District*] **Metro** will involve the spe-  
9 cial district in the exercise of [*the Metropolitan Service District's*] **Metro's**  
10 regional planning responsibilities; and

11 (g) Contain [*such*] other provisions [*as*] the Land Conservation and De-  
12 velopment Commission may require by rule.

13 (5) Agreements required under subsections (2) and (3) of this section are  
14 subject to review by the commission. The commission may provide by rule  
15 for periodic submission and review of cooperative agreements to [*insure*]  
16 **ensure** that [*they*] **the cooperative agreements** are consistent with ac-  
17 knowledged comprehensive plans.

18 (6) **Cities, counties and Metro shall demonstrate compliance with**  
19 **subsections (2) and (3) of this section no later than the first periodic**  
20 **review that begins after November 4, 1993. The commission may adjust**  
21 **the deadline for compliance under this subsection when parties to an**  
22 **agreement under subsection (2) or (3) of this section are scheduled for**  
23 **periodic review at different times.**

24 **SECTION 3. This 2013 Act being necessary for the immediate pres-**  
25 **ervation of the public peace, health and safety, an emergency is de-**  
26 **clared to exist, and this 2013 Act takes effect on its passage.**

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