

House Bill 2293

Sponsored by Representative READ (Pre-session filed.)

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 master plans and county service districts regarding comprehensive planning for land use and public facilities and, within Washington County, implementation of adopted comprehensive plans through development review and code enforcement services. Requires county to consult with all affected taxing districts before forming new county service district. Authorizes county planning commission to serve as advisory committee to district governing body. Changes minimum number of members of advisory committee.

A BILL FOR AN ACT

Relating to county service districts; creating new provisions; and amending ORS 451.010 and 451.555.

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

SECTION 1. ORS 451.010 is amended to read:

451.010. (1) Master plans and service districts may be established as provided by this chapter regarding:

(a) Sewage works, including all facilities necessary for collecting, pumping, treating and disposing of sanitary or storm sewage.

(b) Drainage works, including all facilities necessary for collecting, pumping and disposing of storm and surface water.

(c) Street lighting works, including all facilities necessary for the lighting of streets and highways.

(d) Public parks and recreation facilities, including land, structures, equipment, supplies and personnel necessary to acquire, develop and maintain such public park and recreation facilities and to administer a program of supervised recreation services.

(e) Diking and flood control works, including all facilities necessary for diking and control of watercourses.

(f) Water supply works and service, including all facilities necessary for tapping natural sources of domestic and industrial water, treating and protecting the quality of the water and transmitting it to the point of sale to any person, city, domestic water supply corporation or other public or private agency for domestic, municipal and industrial water supply service.

(g) Solid waste disposal. This paragraph does not apply in Clackamas, Multnomah and Washington Counties.

(h) Public transportation, including public depots, public parking and the motor vehicles and other equipment necessary for the transportation of persons together with their personal property.

(i) Agricultural educational extension services.

(j) Emergency medical services, including ambulance services.

(k) Library services.

(L) Roads.

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 (m) Emergency communications services, including a 9-1-1 emergency reporting system estab-
 2 lished under ORS 403.115.

3 (n) Law enforcement services.

4 (o) Human services.

5 (p) Cemetery maintenance.

6 (q) Animal control.

7 **(r) Comprehensive planning for land use and public facilities as authorized under ORS**
 8 **451.555.**

9 **(s) Within the boundaries of Washington County, implementation of adopted compre-**
 10 **hensive plans through the provision of development review and code enforcement services**
 11 **as authorized under ORS 451.555.**

12 (2) Within the geographical jurisdiction of any local government boundary commission estab-
 13 lished by or pursuant to ORS 199.410 to 199.519, in addition to the purposes described in subsection
 14 (1) of this section, master plans and service districts may be established as provided by this chapter
 15 regarding:

16 (a) Fire prevention and protection.

17 (b) Hospital and ambulance services.

18 (c) Vector control.

19 (d) Weather modification.

20 (3) Within the boundaries of any subdivision, service districts may be established as provided
 21 by this chapter regarding:

22 (a) Fire prevention and protection.

23 (b) Security services provided by contract with an association of homeowners whose property
 24 is located entirely within the boundaries of the service district, which services may include the
 25 enforcement of the rules or regulations of the association dealing with public access to or the use
 26 of the property of the association, routine patrolling and inspection of private areas located within
 27 the jurisdiction of the association and matters of traffic and safety within such areas.

28 (c) Law enforcement services.

29 (d) Hospital and ambulance services.

30 (e) Vector control.

31 (f) Activities set forth in subsection (1)(a), (f), (g), (j) and (m) of this section.

32 (4) As used in subsection (3) of this section, "subdivision" means a subdivision as defined by ORS
 33 92.010 or any contiguous group of such subdivisions that:

34 (a) Is a planned community within the meaning of ORS 94.550 without regard to whether such
 35 subdivision or group of subdivisions is subject to ORS 94.550 to 94.783;

36 (b) Is located entirely within an unincorporated area and is everywhere separated by a distance
 37 of five miles or more from an urban growth boundary described in an acknowledged comprehensive
 38 plan of a city or the urban growth boundary adopted by a metropolitan service district under ORS
 39 268.390 (3); and

40 (c) Prior to the establishment of a service district under subsection (3) of this section, is desig-
 41 nated a subdivision for purposes of this subsection by the governing body of the county in which the
 42 subdivision or group of subdivisions is located.

43 (5) Within the boundaries of Washington County, master plans and service districts may be es-
 44 tablished as provided by this chapter regarding water resource management services that affect the
 45 quality and quantity of water within a single watershed, basin or planning area. As used in this

1 subsection, “water resource management services” means:

2 (a) Planning for and provision of two or more services or facilities such as sewage works,
 3 drainage works, surface water management, endangered species recovery management, water quality
 4 management, diking and flood control works, river flow management, water supply works,
 5 wastewater reuse and irrigation facilities.

6 (b) Activities ancillary to the services and facilities listed in paragraph (a) of this subsection,
 7 including facilities for the production, sale or purchase of energy when such facilities are integrated
 8 in a master plan adopted under ORS 451.120.

9 **SECTION 2.** ORS 451.555 is amended to read:

10 451.555. (1) County service districts [*for the purpose of providing comprehensive planning for land*
 11 *use and public facilities for a district in the county*] may be formed in the manner provided by ORS
 12 451.410 to 451.610 for [*establishing county service districts for other purposes.*] **the purposes of:**

13 (a) **Providing comprehensive planning for land use and public facilities for a district in**
 14 **the county; and**

15 (b) **Within the boundaries of Washington County, implementing adopted comprehensive**
 16 **plans for the district through the provision of development review and code enforcement**
 17 **services.**

18 (2)(a) A district formed to provide comprehensive planning **and implementation of adopted**
 19 **comprehensive plans** may, in accordance with ORS chapter 215, adopt comprehensive plans for
 20 land use and public facilities within the district. The district shall be subject to ORS 451.120 to
 21 451.140, 451.485 and 451.550 to 451.560. The activities of the district may be financed by any method
 22 authorized by ORS 451.490 and 451.520 to 451.547. Plans adopted by the district may be enforced as
 23 provided by ORS 451.130.

24 (b) **The county shall consult and confer with all affected taxing districts before forming**
 25 **a new district pursuant to this section.**

26 (3) The district governing body shall appoint an advisory committee **that may consist of the**
 27 **county planning commission or a committee** of not less than [11] **seven** members who are elec-
 28 tors resident in the district or owners of land in the district. The committee shall advise the gov-
 29 erning body in carrying out the provisions of this section. [It] **The committee** shall meet with the
 30 governing body at the times and places determined by the committee and governing body jointly.

31 **SECTION 3.** (1) **The amendments to ORS 451.010 by section 1 of this 2013 Act apply to**
 32 **master plans and service districts established on or after the effective date of this 2013 Act.**

33 (2) **The amendments to ORS 451.555 by section 2 of this 2013 Act apply to county service**
 34 **districts formed on or after the effective date of this 2013 Act.**

35