

HOUSE AMENDMENTS TO HOUSE BILL 3479

By COMMITTEE ON LAND USE

April 25

1 On page 1 of the printed bill, line 2, delete “amending ORS 223.299;”.

2 Delete lines 4 through 30 and delete page 2 and insert:

3 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 223.387 to**
4 **223.399.**

5 **“SECTION 2. (1)(a) The city in which property is located may assess a charge in lieu of**
6 **forming a local improvement district or as a prepayment against an assessment for a future**
7 **local improvement district, in an amount equal to the property’s share of the cost of im-**
8 **provements that will specially benefit the property.**

9 **“(b) When the owner of property applies for a partition as defined in ORS 92.010, a charge**
10 **or prepayment assessed under paragraph (a) of this subsection:**

11 **“(A) May not exceed \$5,000;**

12 **“(B) Is due and payable at the time, and as a condition, of the city’s issuance of any**
13 **subsequent development or building permit for the property; and**

14 **“(C) Must be kept in a fund dedicated to the purpose for which the charge or prepayment**
15 **was assessed.**

16 **“(2) If a city assesses a charge or requires a prepayment under subsection (1) of this**
17 **section, the city:**

18 **“(a) May not require the owner of the property to enter into a nonremonstrance agree-**
19 **ment with respect to the future formation of a local improvement district; and**

20 **“(b) Shall credit the amount of the charge or prepayment under subsection (1) of this**
21 **section toward any future local improvement district assessments for the improvements for**
22 **which the charge or prepayment under subsection (1) of this section is assessed.**

23 **“(3) Notwithstanding subsections (1) and (2) of this section, a city may require:**

24 **“(a) Full improvements to be completed by the owner of property;**

25 **“(b) If the owner of the property agrees, a fee in lieu of full improvements, payable by**
26 **the owner of the property in an amount equal to the estimated costs of the full improve-**
27 **ments; or**

28 **“(c) A nonremonstrance agreement from the owner of the property in lieu of the full**
29 **improvements.**

30 **“SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
32 **on its passage.”.**

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