

**PROPOSED AMENDMENTS TO
HOUSE BILL 3479**

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**
4 **of ORS 223.387 to 223.399.**

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

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

13 **“(A) May not exceed \$5,000;**

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

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

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

21 **“(a) May not require the owner of the property to enter into a**
22 **nonremonstrance agreement with respect to the future formation of**

1 a local improvement district; and

2 “(b) Shall credit the amount of the charge or prepayment under
3 subsection (1) of this section toward any future local improvement
4 district assessments for the improvements for which the charge or
5 prepayment under subsection (1) of this section is assessed.

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

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

9 “(b) If the owner of the property agrees, a fee in lieu of full im-
10 provements, payable by the owner of the property in an amount equal
11 to the estimated costs of the full improvements; or

12 “(c) A nonremonstrance agreement from the owner of the property
13 in lieu of the full improvements.

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

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