City of
Sherwood
Oregon

Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2011-007

AN ORDINANCE ADDING A NEW CHAPTER 12.24 TO THE SHERWOOD MUNICIPAL CODE RELATING TO FEES FOR STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, AND DECLARING AN EMERGENCY

WHEREAS, the Charter of the City of Sherwood provides that the city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically stated each of those powers, and all such powers not otherwise vested are vested in the City Council; and

WHEREAS, such powers include the authority to establish fees and charges in the manner required by law; and

WHEREAS, the City by and through its City Council deems it appropriate to set forth a mechanism for adoption of fees related to streets, sidewalks and other public places; and

WHEREAS, this ordinance constitutes a proposed amendment to the Sherwood Municipal Code with respect to the establishment and modification of fees, rates and other charges that must be in effect prior to the start of the fiscal year beginning July 1, 2011, and therefore an emergency exists which justifies this ordinance taking effect immediately upon its adoption by the Council in order to assure street maintenance and operation, and construction of pedestrian pathways in furtherance of the public health, safety and welfare; and

WHEREAS, the proposed amendment was reviewed by the City Attorney for compliance and consistency with the Charter and applicable state regulations and found to be fully compliant.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. There is hereby added to the Sherwood Municipal Code a new Chapter **12.24, "COUNCIL AUTHORITY – FEES, RATES AND CHARGES"** with one section 12.24.010, to read as follows:

12.24.010 Authority to establish fees, rates and other charges related to the construction, maintenance and operation of streets, sidewalks, pedestrian pathways, and other public places.
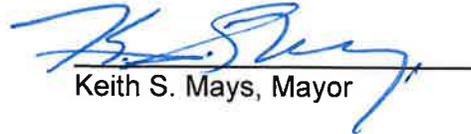
The City Council may by Resolution establish such fees, rates and other charges as it deems appropriate to fund construction, maintenance and operation of streets, sidewalks, pedestrian pathways and other public places, together with procedures for their imposition and collection. Any fees, rates or charges established pursuant to this Section shall be included on a schedule to be kept in the city recorder's office and

available to the public for review. Such fees, rates and other charges may be altered, amended or modified from time to time by Resolution of the City Council. Any adoption or amendment of a fee, rate or charge shall be done consistent with applicable law.

Section 2. The City Manager or designee is hereby directed and authorized to take such action as may be necessary to document this amendment, including necessary updates to Title 12 of the Sherwood Municipal Code in accordance with applicable City ordinances and regulations.

Section 3 – Emergency Declared - Effective Date. This ordinance constitutes a proposed amendment to the Sherwood Municipal Code with respect to the establishment and modification of fees, rates and other charges that must be in effect prior to the start of the fiscal year beginning July 1, 2011. The Council hereby declares that an emergency exists and this ordinance shall take effect immediately upon its adoption by the Council in accordance with the City Charter.

Duly adopted by the City Council this 17th day of May 2011.

_____
Keith S. Mays, Mayor

Attest:

_____
Sylvia Murphy, CMC, City Recorder

	AYE	NAY
Luman	✓	
Langer	✓	
Butterfield	✓	
Folsom	✓	
Henderson	✓	
Grant	✓	
Mays	✓	