

CHAPTER 209
Formation or Change of Special District Boundaries

- 209.01 Bond Required.
- 209.02 Release of Bonds; Payment of Costs.
- 209.03 Amount of Bonds.
- 209.04 Assessment of Costs.
- 209.05 Failure to Effect Change.
- 209.06 Form of Bonds; Deduction of Costs.
- 209.07 Assumption of Costs.

CROSS REFERENCES

County boundaries - see CHTR. §3; ORS 201.150
Special districts generally - see ORS Ch. 198
Formation of special districts - see ORS 198.795 et seq.
County roads - see ORS Ch. 368
Road districts and road assessment plans - see ORS Ch. 371
Fire districts - see F.P. Ch. 1610

209.01 BOND REQUIRED.

Each petition or special district request filed with the County to effect a formation or change of a special district boundary, pursuant to Chapter 198, shall be accompanied by a bond in a form approved by the Board of County Commissioners. If a change is initiated by a district board, such board shall submit the required bond.

(Order 235-83. Passed 6-29-83.)

209.02 RELEASE OF BONDS; PAYMENT OF COSTS.

Irrespective of whether or not the attempted formation, annexation, withdrawal or dissolution of a special district boundary is effected, the petitioner or the initiating district shall be liable and shall pay the costs of the bond and the bond shall not be released until such costs are paid.

(Order 235-83. Passed 6-29-83.)

209.03 AMOUNT OF BONDS.

Upon notification that a petition for the formation or change of a special district boundary will be filed with the Board of County Commissioners, the County Administrator shall advise the petitioners within ten days as to the amount of the bond. The bond amount shall be the cumulative total of the estimated costs of each department which will incur expenses to process the petition. For the purpose of ORS 198.800, the petition shall not be considered filed until the bond is received by the County.

(Order 235-83. Passed 6-29-83.)

209.04 ASSESSMENT OF COSTS.

At the time of final approval by the Board of County Commissioners of the formation or change of a special district boundary, the Board shall assess the costs incurred based upon submittals of the County departments which have incurred costs therein. The amount of each charge shall reasonably reflect the actual costs incurred and shall be supported by a detailed billing from each department. The decision of the Board in each case shall be final and binding.

(Order 235-83. Passed 6-29-83.)

209.05 FAILURE TO EFFECT CHANGE.

If, for any reason, the proposed formation or change of a special district boundary is not effected, the Board of County Commissioners shall assess costs in the manner described in Section 209.04. If no action on the petition or request is taken by the Board for 120 days by reason of failure of the petitioners or district board to furnish statutorily required materials to effect such change or formation, the petition or request shall be deemed to be not effected for purposes of this section.

(Order 235-83. Passed 6-29-83.)

209.06 FORM OF BONDS; DEDUCTION OF COSTS.

For purposes of this chapter, a bond shall be either a corporate surety bond provided by a firm licensed to provide such bonds under State law, or a deposit of cash, a certificate of deposit or registered securities. Costs assessed pursuant to this chapter shall be deducted from any such deposit and the remainder returned to the person who furnished it.

(Order 235-83. Passed 6-29-83.)

209.07 ASSUMPTION OF COSTS.

The Board of County Commissioners may, at its discretion, direct an assumption of costs by the County.

(Order 235-83. Passed 6-29-83.)