

ORDINANCE NO. 479-2009

**AN ORDINANCE RELATING TO INSTALLMENT PAYMENTS OF
SYSTEM DEVELOPMENT CHARGES AND AMENDING CHAPTER
15.16 OF THE DUNDEE MUNICIPAL CODE.**

**THE CITY COUNCIL OF THE CITY OF DUNDEE HEREBY ORDAINS AS
FOLLOWS:**

Section 1. Subsection D. is hereby added to Section 15.16.050 of the Dundee Municipal Code to read as follows:

D. The city administrator or designee shall not issue such permit or allow such connection until the charge has been paid in full, or until provision for payment has been made pursuant to DMC 15.16.120, or unless an exemption is granted pursuant to DMC 15.16.060.

Section 2. Section 15.16.120 is hereby added to the Dundee Municipal Code to read as follows:

Section 15.16.120 Installment Payments.

A. Upon payment of at least 20% of the system development charge, the owner of a parcel of land subject to a system development charge for commercial or industrial development of over \$20,000 may apply for payment of the balance of the charge in 24 equal monthly installments, to include interest on the unpaid balance at the prime rate published in the Wall Street Journal plus six percent per annum and in accordance with such other terms as set by the city.

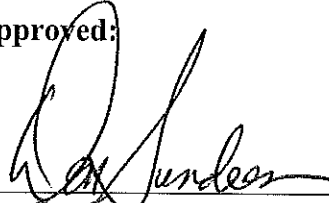
B. The city administrator shall provide application forms for installment payments, which shall include a waiver of all rights to contest the validity of the lien, provided by subsection C of this section, except for the correction of computational errors. The applicant shall pay a non-refundable administrative fee in cash at the time of application in an amount to be determined by resolution of the city council. An applicant for installment payments shall have the burden of demonstrating in the application the applicant's authority to assent to the imposition of a lien on the parcel and that the interest of the applicant is adequate to secure payment of the lien.

C. Upon acceptance of the application and execution of an installment payment agreement, the lien shall be entered in the city lien docket. From that time, and except as provided in ORS 223.208 (2), the city shall have a first lien upon the described parcel for the amount of the system development charge, together with interest on the unpaid balance. The lien shall be enforceable in the manner proved in ORS Chapter 223.

D. The provisions of this Code Section 15.16.120 shall expire and be of no further force and effect after June 30, 2011, except that such provisions shall continue to apply to approved installment applicants and their subject property until receipt by the City of their final installment plus accrued interest.

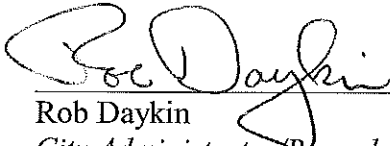
ADOPTED by the Council this 2nd day of June, 2009.

Approved:



Don Sundeen
Mayor

Attest:



Rob Daykin
City Administrator/Recorder