

RESOLUTION NO. 1300

A RESOLUTION AUTHORIZING THE EXTENSION OF MUNICIPAL SEWER SERVICE TO 1751 N REDWOOD STREET - TAX LOT NUMBER 31E27C01502 - LOCATED OUTSIDE OF THE CANBY CITY LIMITS, PURSUANT TO THE URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CLACKAMAS COUNTY AND CITY OF CANBY

WHEREAS, a residence owned by Richard and Carole Risley is located at 1751 N Redwood Street; and

WHEREAS, the residence is located in Clackamas County, Oregon, but is immediately adjacent to the corporate limits and within the Urban Growth Boundary of the City of Canby; and

WHEREAS, Canby Municipal Code (CMC) Chapter 13.04.010 designates that the City may provide sewer disposal service to areas adjacent to the city limits as may be feasible; and

WHEREAS, Richard and Carol Risley have indicated that during an inspection it was determined that the current septic system is failing; and

WHEREAS, the Risleys have been informed by Clackamas County that because their property is within 300 feet of a City of Canby sewer line, they must connect to the sewer line rather than pursue the installation of a new septic system; and

WHEREAS, Property owner Richard and Carole Risley understand and agree that a condition of approval of the sewer disposal service connection to the City of Canby is annexation of the subject property to the City; and

WHEREAS, the Risleys agree to annex the subject property into the city limits of the City of Canby within two (2) years; and

WHEREAS, should the property be marketed for sale at any time prior to annexation, the Risleys agree to disclose to all potential buyers the requirement to annex the property as provided herein; and

WHEREAS, The Urban Growth Management Agreement states “The City shall not extend sewer or water to any unincorporated areas within the UGMB without annexation to the City, or unless mutually agreed to otherwise by the City and County”; and

WHEREAS, Property owners Richard and Carole Risley acknowledges that City approval for the connection of the property to the City of Canby Municipal Sanitary Sewer System is conditioned upon Property Owner also acquiring Clackamas County approval.


NOW, THEREFORE, BE IT RESOLVED by the City of Canby City Council as follows:

1. Subject to Clackamas County concurrence, the residence located at 1751 N Redwood Street is permitted to connect to the City of Canby sanitary sewer system.

2. Location of the connection to the City sewer shall be approved by the Public Works Department.

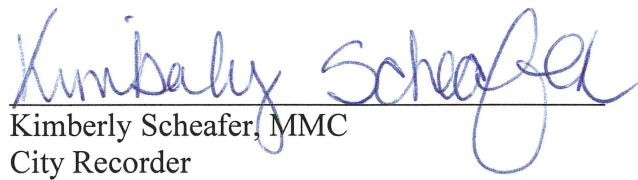
This resolution shall take effect on October 17, 2018.

ADOPTED this 17th day of October 2018 by the Canby City Council.



Brian Hodson
Mayor

ATTEST:



Kimberly Scheafer, MMC
City Recorder

October 2, 2018

Canby City Council
222 NE 2nd Avenue
PO Box 930
Canby OR 97013

We have been trying to sell our home at 1751 N Redwood Street in Canby; however, during an inspection we were told that our system could not pass inspection and would need to be replaced or we would need to connect to Canby sewer.

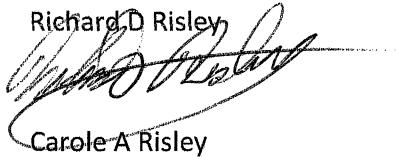
According to Clackamas County, since we are within 300' of a sewer line, we must connect. Our septic remains open pending this work and could become adverse health and environmental problem with the upcoming rainy season. We are anxious to get started as soon as possible as the old system needs to be decommissioned soon.

We understand that we will be required to annex into the city within the next two years.

We have a contractor ready to begin the project as soon as all approvals and permits are completed.

Thank you for your prompt consideration of our request.

Richard D Risley



Carole A Risley



1751 N Redwood Street

Canby OR 97013

503 266-7118

Cc: Bryan Brown, Planning Director

Cc: Lindsey Nesbitt, Senior Planner

Planning and Zoning Division

Clackamas County, Oregon

M E M O R A N D U M

TO: *Honorable Mayor Prince and City Council*

FROM: *Mark C. Adcock, City Administrator*

DATE: *October 8, 2001*

PREPARED BY: *John Williams, Community Development & Planning Director*

Following is staff's understanding of the Council's direction on future water and sewer extensions proposed for areas beyond City limits:

- New extensions will be reviewed on a case-by-case basis. No hard and fast rules are proposed.
- In general, new water and sewer connections outside City limits will be discouraged. If one or more of the following conditions apply, the application may be viewed more favorably:
 - Health or environmental hazards which can be mitigated by the proposed service;
 - An area of "still water" which can be alleviated by a proposed water service extension;
 - A pending annexation or promise to annex in the future; or
 - An overall infrastructure master plan is in place for the area specifying the planned location for streets and utilities.

This is based on the Council's discussion of October 3. Staff will present future applications in this context. Please contact me if you have any questions.