

## ORDINANCE NO. 954

### AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE CHAPTER 3.30 TO CONTINUE A TRANSPORTATION MAINTENANCE PROGRAM FOR THE CITY OF STAYTON.

WHEREAS, the City Council finds that the streets, sidewalks and transportation system are in need of annual maintenance and repair; and

WHEREAS, in 2010 the City Council concluded that in order to generate funds to perform required maintenance on the City's streets, sidewalks and transportation system, it was appropriate for the City to adopt a transportation maintenance fee on developed properties inside the City of Stayton; and

WHEREAS, in December 2010 the City Council adopted Chapter 3.30 authorizing a Transportation Maintenance Fee and authorized the collection of a Transportation Maintenance Fee for a 3-year period; and

WHEREAS, Stayton Municipal Code Chapter 3.30 will terminate on June 30, 2013 in accordance with the sunset provision of the code; and

WHEREAS, the City Council finds that the Transportation Maintenance Fee has generated approximately \$84,000 per year since 2011 for maintenance of the City's streets and sidewalks; and

WHEREAS, the City has been able to use the Transportation Maintenance Fee revenues to leverage gas tax revenues, grants and surface transportation program funds from the Oregon Department of Transportation to complete the following street reconstruction projects since 2011: (1) Tenth Avenue; (2) 6<sup>th</sup> Street Overlay and (3) High Street Overlay and the City has initiated an annual sidewalk repair program; and

WHEREAS, the City Council concludes it will not be able to continue to make street, sidewalk and transportation system improvements without the revenue generated from the Transportation Maintenance Fee; and

WHEREAS, the City Council believes the continuation of the Transportation Maintenance Fee will make a positive difference to the City's transportation system and benefit the citizens of Stayton; and

WHEREAS, the City Council believes it is appropriate for the City Council to review the effectiveness of the Transportation Maintenance Fee and determine whether or not it is appropriate to reauthorize the Transportation Maintenance Fee on a regular five-year interval.

**NOW, THEREFORE, the Stayton City Council does ordain as follows:**


SECTION 1. Section 3.30.120 of Chapter 3.30 of the Stayton Municipal Code relating to a Transportation System Maintenance Program is hereby amended to read:

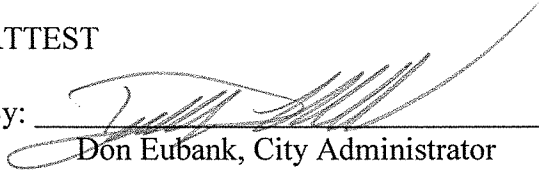
3.30.120 REVIEW AND SUNSET PROVISION.

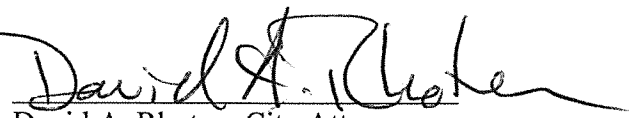
The City Council will review the effectiveness of the Transportation Maintenance Program every five years. The provisions of Chapter 3.30 are hereby repealed effective June 30, 2018, unless extended by the City Council.

SECTION 2. Non-Emergency Ordinance. This ordinance is a non-emergency ordinance and will take effect 30 days after enactment of the City Council and approval by the Mayor.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 18TH DAY OF MARCH, 2013.

Signed: 3-18-2013 CITY OF STAYTON  
By:   
A. Scott Vigil, Mayor

Signed: 3/21/2013 ATTEST  
By:   
Don Eubank, City Administrator

APPROVED AS TO FORM:  
  
David A. Rhoten, City Attorney