

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

(Sitting for the Transaction of County Business)

In the Matter of an Ordinance)
to Amend the Yamhill County)
Subdivision Ordinance.)
Amendment Ordinance, adopted)
the 12th day of December,)
1973.)

Ordinance No. 55

WHEREAS, ORS Chapter 92 provides that the Yamhill County Board of Commissioners shall, by regulation or ordinance, adopt standards and procedures governing the submission and approval of tentative plans and plats of subdivisions and tentative plans and maps of major partitions to carry out its comprehensive plan and promote the public health, safety and general welfare, and may when reasonably necessary to accomplish the orderly development of land within the jurisdiction of the County, adopt regulations or ordinances specifying standards and procedures and requiring approval of tentative plans of minor partitions; and

WHEREAS, certain provisions of State Law have changed since the enactment of the Yamhill County Subdivision Ordinance Amendment Ordinance, adopted the 12th day of December, 1973; and

WHEREAS, it appeared to the Board that on the 4th day of June, 1974, after due notice was given according to law, the Yamhill County Planning Commission held a public hearing regarding the enactment of an Ordinance to amend the Yamhill County Subdivision Ordinance Amendment Ordinance, adopted the 12th day of December, 1973, and on that date recommended to the Board the adoption of said Amendment Ordinance for Yamhill County; and

WHEREAS, on the 26th day of June, 1974, after due notice was given according to law, a public hearing on this matter was held by the Yamhill County Board of Commissioners; and

WHEREAS, the Board has now determined that amendments to such Ordinance are necessary and proper for the promotion of the public health, safety and general welfare, and are in the best interests of the people of Yamhill County; and

WHEREAS, after the termination of the said public hearing before the Yamhill County Board of Commissioners, and at the regular session of the Board on the 26th day of June, 1974, a motion was duly made and regularly passed to adopt said Ordinance for Yamhill County; now therefore,

IT IS HEREBY ORDAINED:

SECTION 1. TITLE.

This Ordinance may be cited for all purposes as the Yamhill County Subdivision Ordinance Amendment Ordinance, No. 55, 1974.

SECTION 2. GENERAL PROVISIONS.

Section 4(1)(b) of the Yamhill County Subdivision Ordinance Amendment Ordinance, No. 49, 1973, is amended to read:

"(b) minor partitions under this Ordinance shall be submitted, reviewed and approved in the manner provided for partitionings under the 1959 Ordinance, except that no tentative plan for a proposed minor partition shall be approved unless the County has received and accepted:

- (i) a certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system, subject to regulation by the Public Utility Commissioner of Oregon, that water will be available to the parcel line of each and every parcel depicted in the tentative plan; or
- (ii) a bond, contract or other assurance by the partitioner to the County that a domestic water supply system will be installed by or on behalf of the subdivider to the parcel line of each and every parcel depicted in the tentative plan; and the amount of any such bond, contract or other assurance by the subdivider shall be determined by a registered professional engineer, subject to any change in such amount as determined necessary by the County; or
- (iii) in lieu of paragraphs (i) and (ii) of this subsection, a statement that no domestic water supply facility will be provided to the purchaser of any parcel depicted in the tentative plan, even though a domestic water supply source may exist; and

- (iv) a certification by a city-owned, sewage-disposal system or by the owner of a privately owned sewage-disposal system that is subject to regulation by the Public Utility Commissioner of Oregon that a sewage-disposal system will be available to the parcel line of each and every parcel depicted in the tentative plan; or
- (v) a bond, contract or other assurance by the partitioner to the County that a sewage-disposal system will be installed by or on behalf of the partitioner to the parcel line of each and every parcel depicted on the tentative plan; and the amount of such bond, contract or other assurance shall be determined by a registered professional engineer, subject to any change in such amount as the County considers necessary; or
- (vi) in lieu of paragraphs (iv) and (v) of this subsection, a statement that no sewage-disposal facility will be provided to the purchaser of any parcel depicted in the tentative plan, where the Department of Environmental Quality has approved the proposed method or an alternative method of sewage disposal for the partition in its evaluation report described in Section 1(1)(c), Chapter 30, Oregon Laws of 1974."

SECTION 3

This Ordinance shall be in force and effect from and after the
1st day of July, 1974.

Dated this 26th day of June, 1974.

Yamhill County Board of Commissioners

Maria Majors
Commissioner

Orville P. Parsons
Commissioner

Jess Howard
Commissioner

Attest: Wendell D. Hester
County Clerk

By: Terrence D. Hester
Deputy