BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending)	
the Columbia County	j	ORDINANCE NO. 93-1
Subdivision and Partitioning	j	
Ordinance	j	
)	

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035, 92.044, 92.046 and 92.048.

SECTION 2. TITLE.

This ordinance shall be known as Ordinance No.93-1.

SECTION 3. PURPOSE.

The purpose of this ordinance is to amend the Columbia County Subdivision and Partitioning Ordinance to require approval by the Board of County Commissioners of certain major and minor partition plats.

SECTION 4. AMENDMENT.

- A. Section 512 of the Columbia County Subdivision and Partitioning Ordinance is amended to read as shown on the attached Exhibit "A" which is incorporated herein by this reference.
- B. Section 611 of the Columbia County Subdivision and Partitioning Ordinance is amended to read as shown on the attached Exhibit "B" which is incorporated herein by this reference.

SECTION 5. FINDINGS.

ORS 92.100 requires partition plats to be approved by the city or county surveyor, as the case may be. Approval by the Board of County Commissioners is not required, but the Board may by ordinance so provide. Because dedication of land for public road or utility purposes are required to be formally accepted by the Board to be valid, the present practice has been to require a separate dedication deed from the developer. This practice is needlessly cumbersome and expensive. These amendments will allow the dedications to be placed directly on the plat to be accepted

when the Board approves the partition plat.

SECTION 6. SEVERABILITY.

If any portion of this ordinance, including Exhibits "A" and "B", is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion and such holdings shall not affect the validity of the remaining portion thereof.

SECTION 7. EMERGENCY.

This ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance takes effect immediately upon its adoption.

REGULARLY PASSED AND ADOPTED BYTHE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 10th DAY OF February , 199 3 .

> BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

> > mmissioner

Commissioner

Approved as to form

oun/6/hrsh Office of County Counsel

Attest:

Recording Secretary

First Reading: 2/10/93 Second Reading: 2/10/93 Effective Date: 2/10/93

EXHIBIT "A"

SECTION 512. APPROVAL OF THE FINAL MAP.

- Before any partition plat that covers land within the Α. corporate limits of any city can be recorded, it must be approved by the county surveyor. However, for the purposes of this ordinance, the governing body of the city may, by resolution or order, designate the city surveyor to serve in lieu of the county surveyor. Except as provided in subsection C of this section, if the land is outside the corporate limits of any city, partition plat shall be approved by the county surveyor and planning director before it is recorded. partition plats which contain a dedication for public or county road purposes must also be approved and accepted by the Board of County Commissioners before they can be recorded.
- B. Before approving the partition plat as required by this section, the county surveyor, as provided by subsection A of this section, shall check the partition plat and make such computations and other determinations that the partition plat complies with the provisions of this and other applicable laws. For performing such service, the county surveyor shall collect from the partitioner a fee as set by ordinance, order or resolution of the Board.
- C. Any partition plat prepared by the county surveyor in a private capacity shall be approved in accordance with subsection B of this section by the surveyor of a county other than the county where the land is located and who has been designated by the county surveyor. The designated county surveyor shall collect the applicable partition plat check fee, and any travel expenses incurred, as established by the designated county surveyor's board of commissioners. The partition plat check fee and other expenses shall be paid by the subdivider prior to approval of the partition plat by the designated county.

EXHIBIT "B"

SECTION 611. APPROVAL OF THE FINAL MAP.

- Before any partition plat that covers land within the Α. corporate limits of any city can be recorded, it must be approved by the county surveyor. However, for the purposes of this ordinance, the governing body of the city may, by resolution or order, designate the city surveyor to serve in lieu of the county surveyor. Except as provided in subsection C of this section, if the land is outside the corporate limits of any city, partition plat shall be approved by the county surveyor and planning director before it is recorded. partition plats which contain a dedication for public or county road purposes must also be approved and accepted by the Board of County Commissioners before they can be recorded.
- Before approving the partition plat as required by this section, the county surveyor, as provided by subsection A of this section, shall check the partition plat and make such computations and other determinations that the partition plat complies with the provisions of this and other applicable laws. For performing such service, the county surveyor shall collect from the partitioner a fee as set by ordinance, order or resolution of the Board.
- C. Any partition plat prepared by the county surveyor in a private capacity shall be approved in accordance with subsection B of this section by the surveyor of a county other than the county where the land is located and who has been designated by the county surveyor. The designated county surveyor shall collect the applicable partition plat check fee, and any travel expenses incurred, as established by the designated county surveyor's board of commissioners. The partition plat check fee and other expenses shall be paid by the subdivider prior to approval of the partition plat by the designated county.