

Note: Consistent with SB 417, passed by the 2007 Legislature, the boundary commission will not accept any filings after December 31, 2007.

**INSTRUCTIONS FOR REQUESTING THE EXPEDITED PROCEDURE
FOR AN
ANNEXATION OR EXTRATERRITORIAL WATER OR WASTEWATER LINE EXTENSION**

EXPEDITED PROCEDURE AUTHORIZED BY LAW. ORS 199.466 authorizes approval of an annexation proposal or a city or district extraterritorial water or wastewater line extension proposal without the necessity of the boundary commission's conducting a formal study or public hearing on the proposal or adopting a final order. The specific language which authorizes this procedure is reproduced on the back of this page. It should be noted that this procedure was enacted for routine, noncontroversial proposals. A request for use of this procedure might actually take more time since a public hearing and study can be requested by any boundary commission member or other authorized person. If you have any questions about utilizing this procedure, please contact the boundary commission office (541 682-4425).

If you are interested in utilizing this procedure, please read carefully and follow the instructions listed below.

PROPERTY OWNER. Complete all the regular petition forms for an annexation or water or wastewater line extension proposal. Then sign the request for expedited procedure form attached. The request for expedited procedure is in addition to and supplements the actual petition. The filing fee is the same as for a nonexpedited procedure. Then do one of the following.

1. **Double-Majority Annexation Proposal** [ORS 199.490(2)(B)]. File the completed forms with the appropriate unit of government. They will follow their regular procedure including consideration at a public hearing. The council or board resolution must include a request for the expedited procedure. Sample phrase: *"The council/board requests that the boundary commission approve the proposed annexation authorized by ORS 199.466 without the study, public hearing and adoption of a final order required by ORS 199.461."*
2. **Water or Wastewater Line Extension** [ORS 199.464(3)]. File the completed forms with the appropriate unit of government. The authorized representative of the city or district, in initiating the request, must also include in their cover letter a statement similar to the following: *"The _____ requests the boundary commission to approve the proposed extension in accordance with ORS 199.466 without the study, public hearing and adoption of a final order as required by ORS 199.461."*
3. **Other Proposals.** *Property owner* files initiatory papers with appropriate city or for district annexations, with the boundary commission office. *Unit of government* initiated [ORS 199.490(1)(a), (5)]—adopt resolution with phrase noted under double-majority.

After the appropriate documents and fees are filed with the commission office, the procedure required by ORS 199.466 will be followed.

SCHEDULE OF POSSIBLE PUBLIC HEARING. If a request for public hearing on the proposal is received within 25 days of the filing of the proposal, the boundary commission staff will place the proposal on the earliest available public hearing agenda and commence work on the study. Please be advised that approximately 30 days is required to publish notice of the public hearing. Consequently, your proposal will not be heard by the commission earlier than 30 days from the date of the request to hold a public hearing. You will be notified by the staff if a public hearing is necessary and the hearing date.

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ORS 199.466

199.466 Approval of annexation or extraterritorial extension without study or hearing; conditions; appeal. (1) When filing an annexation petition or application under ORS 199.464 (3) or (4) with a boundary commission, the principal petitioner may request that the petition or application be approved without the study, public hearing and adoption of a final order required under ORS 199.461. If such request is made, the executive officer of the commission, not later than the 15th day after the filing of the petition or application, shall prepare a brief analysis of the petition or application and a recommendation for disposition of the proceeding, and send a copy of the analysis and recommendation to each commission member, to the governing body of each city, county and district with territory affected by the annexation or extension, to the owners of the affected territory and to such other persons as may be required by the commission. If the executive officer fails to prepare the analysis and recommendation by the 15th day after the filing of the petition or application, then the petition or application shall be approved only after the study, public hearing and adoption of the final order required under ORS 199.461.

(2) If, within 25 days after the filing of an annexation petition or application for an extraterritorial water or sewer line extension, a person or governing body that received a copy of the executive officer's analysis and recommendation under subsection (1) of this section does not ask in writing for a public hearing on the proceeding under ORS 199.461, the petition or application shall be considered approved by the commission. After such approval, the executive officer of the commission shall send written notification of the approval to the officials and persons described in ORS 199.461 (5) or (6). For an annexation petition, the notification shall contain a legal description and map describing the territory approved for annexation, and for an application under ORS 199.464 (3) or (4), a general description and map of the territory affected by the extension. If a request for a public hearing is received by the commission within the 25-day period after the filing, the commission shall proceed as provided by ORS 199.460 to 199.463 and 199.490 to 199.534.

(3) Any person, city, county or district may appeal the approval of a petition or tentative plans under this section as provided in ORS 199.461 (4). [1981 c.265 §14; 1983 c.336 §12; 1989 c.92 §20]

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**PROPERTY OWNERS
REQUEST FOR EXPEDITED PROCEDURE
FOR ANNEXATION OR
EXTRATERRITORIAL WATER OR WASTEWATER LINE EXTENSION
ORS 199.466**

I (We), the undersigned property owner(s), request this (annexation proposal) (water line extension proposal) (wastewater line extension proposal) be approved without the study, public hearing or adoption of a final order required by ORS 199.461. This request is made pursuant to the provisions of ORS 199.466.

I (We) understand that a study, public hearing and adoption of a final order may be required if requested by any person or governing body receiving a copy of the executive officer's analysis and recommendation as required by ORS 199.466.

This request is made in addition to and supplements all other requirements for filing an annexation petition or tentative plan for an extraterritorial water or wastewater line extension.

Tax Lot _____, Township _____ S, Range _____ E/W, Section _____, Map _____

Tax Lot _____, Township _____ S, Range _____ E/W, Section _____, Map _____

Tax Lot _____, Township _____ S, Range _____ E/W, Section _____, Map _____

Signature of Property Owner(s)

Address

Date: _____