

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF TILLAMOOK COUNTY, OREGON

FILED
FEB 23 2018
TASSI O'NEIL
COUNTY CLERK
3:35 P

An Ordinance Amending)
A Fee Schedule for Various) TILLAMOOK COUNTY
Services and Purposes of) AMENDMENT #3
Tillamook County, and) ORDINANCE NO. 18
Declaring an Emergency) February 21, 2018

The Board of County Commissioners of Tillamook County, Oregon ORDAINS as follows:

(Strike through text indicated removals and *italicized text* indicates additions)

Section 1 TITLE

1.1 This ordinance shall be known as the Tillamook County Fee Schedule Ordinance.

Section 2 DEFINITIONS

2.1 "Page" means one side of a sheet fourteen (14") inches or less long and eight point five (8 1/2") inches or less wide.

2.2 "Plat" includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

Section 3 FEES TO BE CHARGED AND COLLECTED

3.1 The following fees are to be charged and collected by the Tillamook County Clerk prior to accepting the following documents for recording. These fees are in addition to any fees otherwise authorized by state law or county ordinance.

- 3.1.1 Subdivisions, Minor Partitions and Condominium Plats
 - 3.1.1.1 For consideration and approval of a subdivision plat by county officials as required in ORS 92.100: Fifty (\$50) Dollars.
 - 3.1.1.2 For recording any subdivision plat: One Hundred Twenty-Five – 75/100 (\$125.75) Dollars plus Five (\$5) Dollars for each additional page towards the cost of County Clerk storage containers for subdivision plats.
 - 3.1.1.3 For recording any minor partition: Sixty-Two (\$62) Dollars plus Five (\$5) Dollars for each additional page towards the cost of County Clerk storage containers for subdivision plats.
 - 3.1.1.4 For recording any condominium plat: Seventy – 75/100 (\$70.75) Dollars plus Five (\$5) Dollars for each additional page towards the cost of County Clerk storage containers for subdivision plats.
- 3.1.2 Vacations of County Property:
 - 3.1.2.1 Petitions for vacations filed pursuant to ORS 368.341: One Thousand Six Hundred Fifty (\$1,650) Dollars. This fee shall be credited according to the following schedule: One Thousand Four Hundred (\$1,400) Dollars, County Road Fund; Two Hundred Fifty (\$250) Dollars, County General Fund.
- 3.1.3 Other Petitions
 - 3.1.3.1 Any other petitions not provided for by this ordinance or other state law or county ordinance: Seventy-Five (\$75) Dollars.

3.1.4 Miners' Liens

3.1.4.1 Except as provided in subsection 3.1.4.2 below, all documents filed in accordance with ORS Chapter 517; the standard statutory recording fee, as provided by state statute;

3.1.4.2 Certificate of ownership (ORS 517.280; ORS 205.320 (15)): Seventy-Five (\$75) Dollars.

3.1.5 Public Entities

3.1.5.1 Any public entity or governmental body shall be charged the same fees paid by private parties, as provided in ORS 205.320. Tillamook County shall not be required to pay fees under this section.

3.1.6 Recording Fees

3.1.6.1 For recording CC&Rs

3.1.6.1.1. First Page: Forty-Two (\$42) Dollars;

3.1.6.1.2. Each additional page: Five (\$5) Dollars.

3.1.6.2 For recording an Affidavit of Correction of a survey map

3.1.6.2.1. First page: Fifty-Six (\$56) Dollars

3.1.6.2.2. Each additional page: Five (\$5) Dollars.

3.1.6.3 For recording an Affidavit of Re-Establishment of original plat monument:

3.1.6.3.1. First page: Fifty-Six (\$56) Dollars;

3.1.6.3.2. Each additional page: Five (\$5) Dollars.

3.1.6.4 For recording an Affidavit of Re-Establishment of an interior plat monument:

3.1.6.4.1. First page: Fifty-Six (\$56) Dollars;

3.1.6.4.2. Each additional page: Five (\$5) Dollars.

3.2 The following fees are to be charged and collected by the Tillamook County Surveyor for performing the following services. These fees are in addition to any fees otherwise authorized by state law or county ordinance.

3.2.1 Filing or indexing a survey map preliminary to subdivision (ORS 209.260) or other survey map: One Hundred Twenty-Five (\$125) Dollars plus Ten (\$10) Dollars for each additional page;

3.2.2 Review and recording of a partition plat by the County Surveyor under ORS 92.100 (1) and (3), whether in an incorporated or unincorporated area: Three Hundred Fifty (\$350) Dollars;

3.2.3 Review and recording of a cemetery map or plat by the County Surveyor under ORS 97.310 and 92.100(5) (a-c): Nine Hundred Fifty (\$950) Dollars plus Forty (\$40) Dollars per unit.

3.2.4 Review of a subdivision plat by the County Surveyor:

3.2.4.1 Office review of a preliminary subdivision plat: Five Hundred (\$500) Dollars plus Fifty (\$50) for each additional lot unit;

3.2.4.2 Field (monumented) subdivision plat: Eight Hundred (\$800) Dollars plus Fifty (\$50) Dollars for each additional lot/unit;

3.2.4.3 Final (post-monument) subdivision plat: One Thousand One Hundred (\$1,100) Dollars plus Fifty (\$50) Dollars for each additional lot/unit.

3.2.5 Review and recording of a plat for a condominium by the County Surveyor under ORS 100.115 (7)(8b) and (11): One Thousand Three Hundred (\$1,300) Dollars plus Fifty (\$50) Dollars for each lot or building.

- 3.2.6 Review and recording of a property line adjustment survey by the County Surveyor under ORS 209.260: Two Hundred Fifty (\$250) Dollars.
- 3.2.7 For certified copies of maps or other documents: Fifteen (\$15) Dollars.
- 3.2.8 For field visits by the County Surveyor: Seventy-Five (\$75) Dollars per hour.
- 3.2.9 For printing of documents:
 - 3.2.9.1 8.5 x 11": Twenty-Five (\$.025) Cents;
 - 3.2.9.2 8.5 x 14": Twenty-Five (\$0.25) Cents;
 - 3.2.9.3 11 x 17": Two (\$2) Dollars;
 - 3.2.9.4 18 x 24": Three (\$3) Dollars;
 - 3.2.9.5 24 x 30": Four (\$4) Dollars;
 - 3.2.9.6 24 x 36": Four (\$4) Dollars;
 - 3.2.9.7 30 x 36": Five (\$5) Dollars;
 - 3.2.9.8 36 x 36": Six (\$6) Dollars;
 - 3.2.9.9 Any document larger than 24 x 36" or 36 x 36" charge by the lineal foot: 24" roll One – 25/100 (\$1.25) Dollars per foot; 36" roll Two (\$2) Dollars per foot.

Section 4 LAW LIBRARY FEES

- 4.1 It shall be the duty of the trial court clerk to collect in each civil suit, action or proceeding filed in the Circuit Court a law library fee in an amount as provided by law. The Clerk of the Court shall collect in each civil suit, action or proceeding filed in the Circuit or County Court a law library fee determined by the County Court or Board of Commissioners in an amount not greater than twenty-eight

(28%) percent of the filing fee provided by law, except that the amount shall be rounded up to the next full dollar.

- 4.2 This ordinance shall serve as a resolution under ORS 9.840 declaring that Tillamook County maintains and operates a law library and that Tillamook County has a population of less than 400,000 persons, according to the latest federal decennial census. The trial court clerk of the Circuit Court shall collect such law library fees and pay them to the County Treasurer within the first twenty-five (25) days of the month following the month in which collected.

Section 5 SEVERABILITY

- 5.1 If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Tillamook County Board of Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6 *CHANGES TO FEES OR CHARGES*

- 6.1 *Any changes to the fees or charges collected by the Tillamook County Clerk or the Tillamook County Surveyor or to the law library fees or charges collected by the Circuit Court Clerk shall be set by the Board of Commissioners by Board Order.*

Section 67 REPEAL OF PRIOR ORDINANCES AND ORDERS

- ~~6.4~~ 7.1 Ordinance No. 11 and Order #94-073 be and are hereby repealed.

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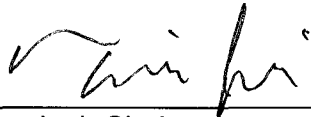

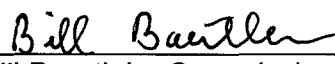
Section 8 EMERGENCY

6.2 8.1 This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect *immediately upon its adoption.*

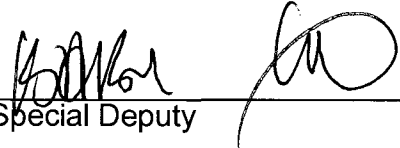
Date of First Reading: February 7, 2018
Date of Second Reading: February 21, 2018

DATED this 21st day of February, 2018.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON


| | Aye | Nay | Abstain/Absent |
|--|-----|-----|----------------|
|  _____ Tim Josi, Chair | ✓ | | / |
|  _____ David Yamamoto, Vice-Chair | | | / |
|  _____ Bill Baertlein, Commissioner | ✓ | | / |

ATTEST: Tassi O'Neil
County Clerk

By: 

Special Deputy

APPROVED AS TO FORM:



William K. Sargent, County Counsel

