

COUNTY CLERK JOURNAL

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF TILLAMOOK COUNTY, OREGON

FILED

JUN 10 1985

JUNE WALKER
COUNTY CLERK

DEPUTY

Ordinance Relating to)
Assessment and)
Planning Control of)
Agricultural Buildings)
Modification of
ORDINANCE NO. 30

WHEREAS, ORS 456.917 exempts agricultural buildings from the requirements of the Tillamook County Building Code, except when located in a flood plain, and

WHEREAS, the Board of Commissioners of Tillamook County, having heard testimony in regular meeting on March 20, 1985, regarding the advisability of regulating the construction of agricultural buildings, in order to permit the expeditious enforcement of state and county law relating to assessment and planning, which must be enforced by the County; and

WHEREAS, after due consideration the Board of Commissioners finds that it would be in the public interest to impose the minimum regulation necessary to permit the enforcement of the state assessment laws by the County Assessor; enforcement of setback, flood plain and other land use regulations by the Planning Department; and

WHEREAS, such regulation would not impose an undue burden upon agricultural property owners;

NOW, THEREFORE, the Board of Commissioners of Tillamook County, Oregon, ordains as follows:

1. No agricultural building may be constructed, moved, or substantially altered, renovated or expanded, from and after

the effective date of this Ordinance, unless an application is filed in the Tillamook County Planning Department.

2. The application shall be on a form approved by the Board of Commissioners, shall be executed by the record owners of the property upon which the building is to be located, and shall contain the following:

a. a certification by affidavit of the property owner that the subject building will be used solely for agricultural purposes within the meaning of the Tillamook County Building Code.

b. a plot plan and other documentation as may be required by the Planning Department, showing that all requirements of the Tillamook County Land Use Ordinance applicable to the structure have been satisfied.

c. any relevant information regarding assessment for taxation as may be required by the Tillamook County Assessor.

d. an estimate of the total construction cost, including labor and materials.

e. an estimate of total square footage of the structure.

3. There shall be a fee imposed at the time of filing of the application in the following amounts:

a. Building Department fee for structures in the flood plain:

- 1) 5,000 square feet or less - \$25.00
- 2) Greater than 5,000 square feet - \$50.00

b. Planning Department fee:

- 1) Field visit required - \$25.00
- 2) Flood Plain Development permit - \$25.00

4. If the structure is found to be located in a flood hazard zone, all requirements of the Land Use Ordinance and Ordinance #14 shall be satisfied.

5. The application shall not be accepted for filing until all requirements of this Ordinance have been satisfied.

6. Violation of Section 1 of this Ordinance shall be subject to prosecution under Planning and Zoning Ordinance No. 35, ORS 203.065, or to any other lawful remedy available to the County. Any false statement on an application shall be a violation of this ordinance.

7. This ordinance shall take effect 90 days after adoption.

DATE OF FIRST READING: May 15, 1985

DATE OF SECOND READING AND APPROVAL: May 29, 1985

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Gerald A. Woodward
Gerald A. Woodward, Chairman

Dean J. Kinkade
Dean J. Kinkade, Commissioner

APPROVED AS TO FORM:

Mark A. Wehrly
Mark A. Wehrly, County Counsel

Gerald J. Creasy
Gerald J. Creasy, Commissioner