

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1006

Repealing Ordinance 952 to Delete Real Property Compensation Law (Ballot Measure 7)
Subchapter from the Multnomah County Code

The Multnomah County Board of Commissioners Finds:

a. On November 7, 2000, Oregon voters approved initiative Ballot Measure 7 requiring landowner compensation when regulation reduces the value of their land. Measure 7 amends Article I, section 18 of the Oregon Constitution.

b. On November 30, 2000, the Board adopted Ordinance 952 implementing the provisions of Measure 7 and adding a Real Property Compensation Law subchapter to the Code. (§§27.500 – 27.540, added by Ordinance 952, were renumbered as §§7.500 – 7.540 by Ordinance 971.) Ordinance 952 was made effective concurrently with Measure 7 on December 7, 2000.

c. A lawsuit filed in the Marion County Circuit Court challenged the validity of Measure 7. On December 6, 2000, the Court issued an injunction blocking implementation of the measure. On February 22, 2001, in McCall et al. v. Kitzhaber (2001), the Circuit Court found Measure 7 unconstitutional.

d. The Circuit Court's decision was appealed. On October 4, 2002, the Oregon Supreme Court voided Measure 7 finding that it did not follow the Oregon Constitution's initiative requirements.

e. Although Measure 7 never became effective, the Real Property Compensation Law subchapter should be removed from the Code.

Multnomah County Ordains as follows:

Ordinance 952 is repealed and MCC §§ 7.500 – 7.540 are deleted.

FIRST READING:

January 23, 2003

SECOND READING:

January 30, 2003



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By
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