

THIS IS AN ORDINANCE AUTHORIZING THE CITY TO DENY BUILDING PERMITS TO UNSOLD LOTS IN A SUBDIVISION WHICH IS NOT IN COMPLIANCE WITH MUNICIPAL ORDINANCES AND CONDITIONS ATTACHED TO THE ORDINANCE CREATING THE SUBDIVISION.

WHEREAS, it has come to the attention of the City of Dunes City that developers of subdivisions in the past have not fulfilled the conditions under which under the Ordinance creating the subdivision was passed, or have allowed the subdivision to fall out of compliance, and

WHEREAS, it has come to the attention of the City of Dunes City that the City is without power to refuse building permits to lots in non-complying subdivision once the Subdivision Ordinance is approved, and

WHEREAS, it appears the sole remedy of the City would be to revoke the Subdivision Ordinance, and thereby impose a substantial hardship upon innocent third parties,

THEREFOR, THE CITY OF DUNES CITY DOES ORDAIN  
AS FOLLOWS:

The City of Dunes City is authorized to withhold building permits on any unsold lots in a subdivision which the City finds is:

1. Not in compliance with any Ordinance duly enacted by Dunes City.
2. Is not in compliance with any conditions attached to the Ordinance which created the subdivision.
3. In the event the City Council, after discussion and examination at a public meeting, should determine that probable cause exists to believe a violation of Paragraphs 1 or 2 of this Ordinance has occurred, the City shall find there is probable cause to believe that a nuisance exists, and a nuisance should be abated pursuant to Section 2 of Ordinance 51, dealing with nuisance abatement.
4. The nuisance may be abated pursuant to Subsection 3 or 4 of Ordinance 51.
5. The City shall be entitled to assess costs incurred pursuant to Section 5 of Ordinance 51.

6. The City shall be entitled to penalties pursuant to Section 7 of the Nuisance Abatement Ordinance.

ENACTED BY THE COUNCIL OF THE CITY OF DUNES CITY, OREGON, this  
9th day of April, 1981.

APPROVED BY THE MAYOR this 10 day of April, 1981.

  
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Robert Petersdorf, MAYOR

ATTEST:

  
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Betty Stocking, CITY RECORDER

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