

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE November 4, 2014	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors

FROM: Susanne Baker, Finance Director

Through: Rodger Craddock, City Manager

ISSUE: Public Hearing for amending Ordinance 221 issuance of certificate of lien search

BACKGROUND:

The City of Coos Bay has established a practice of listing all of the City's fees in one location, a City Fee Resolution. Through the process of working with the various City ordinances, it is occasionally discovered there is a fee listed in an ordinance which conflicts with the current City Fee Resolution. Staff has discovered this exists within Coos Bay Municipal Code 3.25.030 Certificate of Lien Search and proposes to correct this as a housekeeping matter by referring to the fee in the City Fee Resolution and approving the fees retroactively.

The City of Coos Bay maintains a database of liens within the City of Coos Bay, and title companies utilize this database on a regular basis for real estate transactions. In an effort to continue to provide an efficient billing of the lien search fees and not to interrupt the business transactions, the proposed ordinance includes an emergency clause for immediate enactment. The fee listed in the ordinance is \$20, and the fee listed in the resolution is \$45.

ADVANTAGES:

Amending the ordinance to refer to the fee in the City Fee Resolution aligns with the intent of the City Fee Resolution and other ordinances.

DISADVANTAGES:

None.

BUDGET:

With the immediate enactment of the ordinance and retroactively approving the fee there will be no budgetary impact.

RECOMMENDATION:

Staff recommends the Council hold a public hearing and enact the ordinance.

ORDINANCE NO. ###

AN ORDINANCE OF THE CITY OF COOS BAY, OREGON AMENDING ORDINANCE NO. 221 ENACTED DECEMBER 5, 1995 PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF LIEN SEARCH AS AMENDED BY ORDINANCE NO. 61 ENACTED JANUARY 27, 1986 AMENDING ORDINANCE NO. 144 ENACTED SEPTEMBER 19, 1989.

The City of Coos Bay ordains as follows:

Section 1. Repeal of Section 3 of Ordinance 221 as amended by Ordinance 144 amending Ordinance 61. (CBMC Section 3.25.030) to read:

Section 3. Search Fees. Before any certificate of lien search is issued, the applicant shall pay to the Recorder a fee for making the lien search and for preparing the certificate. All fees collected under this section shall be deposited in the General Fund of the City. The fee will be pursuant to the fee listed in the City's current fee resolution.

Section 6. Emergency. Because of the continuous use of the lien search database which allows business to be conducted in a timely and efficient manner and the necessity to retroactively approve the fee pursuant to the current City Fee Resolution, an emergency is declared to exist, and this ordinance is effective upon its passage by the Council.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this _____ day of November 2014 by the following vote:

Yes:

No:

Absent:

Crystal Shoji
Mayor of the City of Coos Bay
Coos County, Oregon

Attest: _____
Susanne Baker
City Recorder of the City of Coos Bay
Coos County, Oregon