

RESOLUTION NO. 1407

A RESOLUTION AUTHORIZING THE EXTENSION OF MUNICIPAL SEWER SERVICE TO 267 S WALNUT ST. – TAX LOT 31E34 01900 – LOCATED OUTSIDE OF THE CANBY CITY LIMITS, PURSUANT TO THE URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CLACKAMAS COUNTY AND THE CITY OF CANBY.

WHEREAS, a residence owned by Dragonberry Produce is located at 267 S Walnut Street, Tax lot 31E34 01900;

WHEREAS, the residence is located in unincorporated Clackamas County, Oregon, but is located immediately adjacent to Canby city limits and is within the Urban Growth Boundary of the City of Canby;

WHEREAS, Dragonberry Produce has indicated the current septic system a 267 S Walnut Street is no longer viable for usage because the system’s capacity has been reached and drainage is not keeping up;

WHEREAS, because the property is within 300 feet of a City of Canby sewer line, they must pursue a connection to the sewer line rather than pursue the installation of a new septic system;

WHEREAS, Dragonberry Produce understand and agree that the condition of approval of the sewer disposal service connection to the City of Canby is annexation of the subject property to the City of Canby;

WHEREAS, the Dragonberry Produce agree to annex the subject property into the city limits of the City of Canby within two (2) years;

WHEREAS, should the property be marketed for sale any time prior to the annexation, the property owner must disclose to all potential buyers the require to annex the property as provided herein;

WHEREAS, the Urban Growth Management Agreement states “The City shall not extend sewer or water to any unincorporated areas within the UGMB without annexation to the City, or unless mutually agreed to otherwise by the City and County”; and

WHEREAS, Dragonberry Produce acknowledges that City approval for the connection of the property to City of Canby Municipal Sanitary Sewer System is conditions upon the property owner also acquiring Clackamas County approval.

NOW, THEREFORE, BE IT RESOLVED BY the City of Canby City Council as follows:

1. Subject to Clackamas County concurrence, the residence located at 267 S Walnut Street, Tax lot 31E34 01900 is permitted to connect to the City of Canby sanitary sewer system.

2. Location of the connection to the City sewer shall be approved by the Public Works Department.

ADOPTED this 19th day of June, 2024, by the Canby City Council.



Brian Hodson
Mayor

ATTEST:



Maya Benham, CMC
City Recorder