

Council Business Meeting

December 18, 2018

Agenda Item	Ordinance Amending AMC 4.12.030 with respect to certificates of Lien Search fees to be set by Resolution	
From	Melissa Huhtala	City Recorder
Contact	Melissa.huhtala@ashland.or.us 541-488-5703	

SUMMARY

Before the Council is the second reading of an Ordinance amending the Ashland Municipal Code Chapter 4.12.030 allowing for the Lien Search Fees to be set by Resolution.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

At the December 4, 2018 Council Business Meeting, Council approved the first reading of the proposed Ordinance that allows lien search fees to be set by Resolution.

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland's fees for lien searches was established in 1986 by Ordinance 2385. The cost of conducting lien searches has varied over time due to new technologies.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the proposed Ordinance Amending AMC 4.12.030 and to set the lien search fee by Resolution.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the second reading of an Ordinance Amending section 4.12.030 of the Ashland Municipal Code with respect to certificates of lien search fees to be set by Resolution.

REFERENCES & ATTACHMENTS

Attachment 1: Ordinance 2385

Attachment 2: An Ordinance Amending section 4.12.030 of the Ashland Municipal Code with respect to certificates of lien search fees to be set by Resolution

ORDINANCE NO. 2385

AN ORDINANCE AMENDING SECTION 4.12.030 OF THE
ASHLAND MUNICIPAL CODE WITH RESPECT TO CERTI-
FICATES OF LIEN SEARCH.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Ordinance No. 2253 and Section 4.12.030 of the Ashland
Municipal Code are hereby amended to read as follows:

"4.12.030 Fee-Designated. Before a certificate of lien search
shall be issued, there shall first be paid to the City Recorder,
the following fees for making the lien search and for preparing
the certificate:

- A. A fee of twenty dollars (\$20.00) if the lien search
may be made within five (5) working days from time
of receipt.
- B. A fee of thirty dollars (\$30.00) if the lien search is
required by the applicant within one (1) working day
of receipt.

The foregoing ordinance was first read on the 21st day of
January, 1986, and duly PASSED and ADOPTED this 4th day of
February, 1986.

Nan E. Franklin
Nan E. Franklin
City Recorder

SIGNED and APPROVED this 6th day of February, 1986.

L. Gordon Medaris
L. Gordon Medaris
Mayor

AN ORDINANCE AMENDING AMC 4.12.030 TO ALLOW LIEN FEES TO BE SET BY RESOLUTION.

WHEREAS, the City of Ashland's fees for lien searches was last established in in 1986 by Ordinance 2385

WHEREAS, the costs of conducting lien searches varies over time particularly with the advent of new technologies; and

WHEREAS, most other City of Ashland fees are set annually by resolution.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

4.12.030 Fee – Designated.

~~A. A fee of twenty dollars (\$20.00) if the lien search may be made within five (5) working days from the time of receipt.~~

~~B. A fee of thirty dollars (\$30.00) if the lien search is required by the applicant within one (1) working day of receipt.~~

1 **SECTION 2. Codification.** In preparing this ordinance for publication and distribution, the
2 City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within
3 such limitations, may:

- 4 (a) Renumber sections and parts of sections of the ordinance;
- 5 (b) Rearrange sections;
- 6 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 7 (d) Delete references to repealed sections;
- 8 (e) Substitute the proper subsection, section, or chapter numbers;
- 9 (f) Change capitalization and spelling for the purpose of uniformity;
- 10 (g) Add headings for purposes of grouping like sections together for ease of reference; and
- 11 (h) Correct manifest clerical, grammatical, or typographical errors.

12 **SECTION 3. Severability.** Each section of this ordinance, and any part thereof, is severable,
13 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
14 remainder of this ordinance shall remain in full force and effect.

15 The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C)
16 of the City Charter on the ____ day of _____, 2018, and duly PASSED and ADOPTED
17 this ____ day of _____, 2018.

18
19 _____
20 Melissa Huhtala, City Recorder

21
22 SIGNED and APPROVED this ____ day of _____, 2018.

23
24 _____
25 John Stromberg, Mayor

26 Reviewed as to form:
27
28 _____
29 David H. Lohman, City Attorney
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