

1 **BEFORE THE BOARD OF COMMISSIONERS**
2 **FOR LINCOLN COUNTY, OREGON**

3 In the Matter of)
4)
5)
6 *Temporary Order Waiving or Refunding*)
7 *Local Building and Septic Permit Fees*)
8 *For Certain Property Owners Rebuilding, Replacing or*) **ORDER NO. 11-20-330**
9 *Repairing Primary Residences and Long-Term Rental*)
10 *Properties Damaged or Destroyed by Echo Mountain*)
11 *Complex Fire*)
12

13 WHEREAS, on September 8, 2020, the Lincoln County Board of Commissioners
14 declared a state of emergency within the County because of wildfires that later were
15 denominated the Echo Mountain Complex Fire (Resolution Nos. 9-20-271 and 20-15-9C)
16 (hereafter Wildfires). Under that declaration, ORS Chapter 401¹, the Lincoln County
17 Emergency Operations Plan² and Lincoln County Emergency Services Code³ the County
18 may prepare for and carry out any activity to prevent, minimize, respond to or recover
19 from the declared emergency; and

20 WHEREAS numerous residential properties serving as primary residences or long
21 term (over 30 days) residential rentals were damaged or destroyed because of the
22 Wildfires; and

23 WHEREAS the Lincoln County Board of Commissioners, under the authority
24 referenced above, desires to waive or refund certain local fees collected by the County to
25 administer and enforce the Lincoln County Building Code, Lincoln County Code Chapter
26 3, and to administer and enforce the delegated authority from the Oregon Department of
27 Environmental Quality to Lincoln County to regulate subsurface sewage disposal, Lincoln
28 County Code Sections 2.405 through 2.445.

¹ Including ORS 401.309

² Adopted by Order No. 8-18-206.

³ Ordinance # 502, adopted and made a part of, but is not yet codified into the Lincoln County Code.

1 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

2 1. The Lincoln County Department of Planning and Development (Building Official
3 and Subsurface Sewage Systems) shall waive, or if already collected, refund all local
4 County fees for building (including but not limited to building, plumbing, electrical and
5 mechanical fees; manufactured home set up fees; and all repair, replacement, or similar
6 subsurface sewage system fees) related to the rebuilding, replacement or repairing of any
7 primary residence damaged or destroyed by the Wildfires. The same fees shall also be
8 waived or refunded for any residence or multi-family residence that previously served as
9 a long term (over 30 days) residential rental property that is reconstructed for that purpose.⁴

10 2. The County does not waive any fees collected on behalf of any state agency or non-
11 county agency that by law, administrative rule, or contract it is obligated to collect and
12 remit to that agency, unless otherwise relieved of that obligation to collect by the agency.

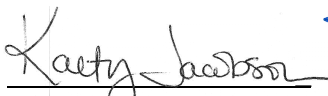
13 3. The County will use records as obtained from the Lincoln County Assessor's Office
14 and Lincoln County Emergency Services to determine eligible properties for this refund
15 or waiver. All eligibility determinations by the Planning and Development Department
16 are final.


17 4. Qualifying permits must be applied for and issued prior to September 8, 2025.

18 5. Copies of this Order shall be provided to; Jenny Demaris, Emergency Manager; and
19 Wayne Belmont, County Counsel.

DATED: November 2, 2020

LINCOLN COUNTY BOARD OF COMMISSIONERS


Kaety Jacobson, Chair


Doug Hunt, Commissioner


Claire Hall, Commissioner

⁴ Any such rental property for which the fees are waived shall be ineligible to receive a license (and therefore shall not operate) as a short-term dwelling unit rental, Lincoln County Code Section 4.405 et. seq., for a period of 5 years from the date of issuance of the occupancy permit for the dwelling.