



RESOLUTION NO. 2014-01

A RESOLUTION (A) MEMORIALIZING THE TERMINATION OF PORTIONS OF A CERTAIN LAND USE SERVICES AGREEMENT WITH DESCHUTES COUNTY, (B) MEMORIALIZING THE CITY OF LA PINE'S ASSUMPTION OF CERTAIN LAND USE PLANNING SERVICES FROM DESCHUTES COUNTY, AND (C) IDENTIFYING THE EFFECTIVE DATE OF CERTAIN LAND USE RELATED ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of La Pine ("City") and Deschutes County ("County") are parties to a certain Intergovernmental Agreement dated April 4, 2013, Document No. 2013-001 (the "Land Use Agreement"), pursuant to which County agreed to provide certain land use planning services for and on behalf of City; and

WHEREAS, pursuant to Section 3.3 of the Land Use Agreement, those County and/or City obligations provided under Sections 4, 8, and 9 of the Land Use Agreement will cease (terminate) thirty (30) days after City provides County written notice that City intends to assume responsibility for processing land use applications; and

WHEREAS, City has adopted Procedures, Zoning, Land Division, Sign and other land use related ordinances and resolutions which take effect thirty (30) days after City and County agree to transition land use planning services from County to City; and

WHEREAS, on or about December 7, 2013, (a) City provided County written notice that City intends to assume responsibility for land use applications, and (b) City and County agreed to the transition of land use planning services from County to City; and

WHEREAS, in accordance with applicable City land use ordinances and regulations, City's land use ordinances and resolutions will be deemed in full force and effect as of January 6, 2014.

NOW, THEREFORE, BE IT RESOLVED, by and through the La Pine City Council meeting in regular session, the following:

1. The above-stated findings contained in this Resolution No. 2014-01 (this "Resolution") are hereby adopted.
2. City assumes responsibility for processing land use applications effective January 6, 2014. Those County and/or City obligations provided under Sections 4, 8, and 9 of the Land Use Agreement will be deemed terminated and of no further force and effect as of January 6, 2014. The remaining provisions of the Land Use Agreement remain unchanged and in full force and effect
3. Applicable City land use ordinances and regulations will be deemed effective and in full force and effect as of January 6, 2014. City will exercise a good faith effort to inform the public of the effectiveness of these land use ordinances and regulations.
4. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution.

5. This Resolution will be in full force and effect from and after its passage and adoption.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the La Pine City Council on January 8, 2014.



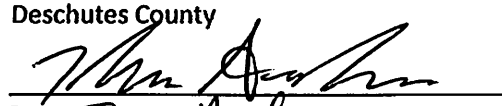
Ken Mullenex, Mayor

ATTEST:



Richard L. Allen, Interim City Manager

Acknowledged and Agreed:
Deschutes County



By: Tom Anderson
Its: County Administrator