

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF LINCOLN

ORDINANCE # 278

AN ORDINANCE AMENDING ORDINANCE NO. 271 AMENDING LINCOLN COUNTY CODE SECTIONS 6.720 AND 6.730, ESTABLISHING A SEPARATE FUND OF LINCOLN COUNTY RELATING TO THE PRESERVATION OF CERTAIN SURVEY CORNERS; AND AMENDING ORDINANCE NO. 265 ESTABLISHING LINCOLN COUNTY CODE SECTIONS 7.830 THROUGH 7.855, REGULATING AMBULANCE SERVICE PROVIDERS, AND DECLARING AN EMERGENCY

WHEREAS on July 13, 1988, the Lincoln County Board of Commissioners adopted Ordinance No. 271 amending Lincoln County Code Sections 6.720 and 6.730, establishing a separate fund of Lincoln County relating to the preservation of certain survey corners; and

WHEREAS on April 6, 1988, the Lincoln County Board of Commissioners adopted Ordinance No. 265 adding Sections 7.805 through 7.855, regulating ambulance service providers; and

WHEREAS minor corrections need to be made to these code sections;

NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

SECTION I:

That Section 6.720 be amended to read as follows (additions in boldface; deletions in brackets):

The purpose of Sections 6.715 through 6.735 is to establish the Public Land Corner Preservation Fund. Said fund shall be separate and apart from the other funds of the County. Said fund revenues shall come from fees charged by the County Clerk pursuant to these sections to provide a source of funds dedicated to pay the expenses incurred and authorized by the County Surveyor in the establishment, reestablishment, and maintenance of corners of government surveys under ORS 209.070(5) and (6).

SECTION II:

That Section 6.730 be amended to read as follows:

The County Treasurer shall establish a fund for Lincoln County which shall be known as the Corner Preservation Fund. Appropriations in this fund shall be used only to pay expenses incurred [or] and authorized by the County Surveyor in the

establishment, reestablishment, and maintenance of corners of government surveys pursuant to ORS 209.070(5) and (6). Sections 6.715 through 6.735 do not authorize the County Surveyor to incur expenses other than those provided for periodically in the adopted budget of the County. Payment of expenses within the Public Land Corner Preservation Fund will be pursuant to the fiscal policies of the County.

SECTION III:

Sections 7.830 ("Suspension or Revocation of Assignment") through 7.855 are renumbered as follows:

- [7.830] 7.835 Suspension or Revocation of Assignment
- [7.835] 7.840 Appeal
- [7.840] 7.845 Emergency Medical Services Advisory Committee
- [7.845] 7.850 Initial Responder
- [7.850] 7.855 Penalties
- [7.855] 7.860 Nuisance

SECTION IV:

Section 7.840, "Appeal," is hereby amended to read as follows:

A person receiving a notice of the assignment, denial, suspension, revocation or contingent suspension or revocation of an Ambulance Service Area may request a hearing before the Board of Commissioners by filing with the Board of Commissioners a written request for hearing within fourteen (14) days of the decision, setting forth the reasons for the hearing and the issues proposed to be reviewed. The filing of a hearing request shall stay the action pending the hearing and final determination by the Board of Commissioners, unless the Board makes a written finding that prompts implementation of the decision [is required] due to an immediate hazard to the public safety. The Board of Commissioners shall set a time and place for a hearing which shall be de novo on the record or a full de novo hearing, as determined by the Board. Within fourteen (14) days after the conclusion of the hearing, the Board shall affirm, reverse or modify its original decision.

SECTION V:

That this ordinance, being necessary for the immediate preservation of the public peace, health, and safety, an

emergency is declared to exist and this ordinance takes effect upon its adoption.

DATED this 12th day of April, 1989.

LINCOLN COUNTY BOARD OF COMMISSIONERS

*Frank Armstrong*  
FRANK ARMSTRONG, Chairman

*Andy Hedwick*  
ANDY HEDWICK, Commissioner

*Norma McMillin*  
NORMA McMILLIN, Commissioner