

CITY OF NEWPORT

ORDINANCE NO. 2029

An Ordinance Amending Ordinance No. 1949,
Governing the Lease of City-Owned Property

WHEREAS, the City Council finds the public health, safety, and welfare of the citizens of Newport will be better served if the city had well defined guidelines for the lease of city-owned property; and

WHEREAS, the Council finds that leasing of city-owned properties should be consistent with the Oregon Revised Statutes.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Section 2.25.010 of Exhibit A to Newport Ordinance No. 1949, codified as Newport Municipal Code 2.25.010, Real Property, is hereby amended to read:

This chapter provides procedures and standards for the acquisition, sale, lease, and transfer of real property by the city.

Section 2. Section 2.25.070 of Exhibit A to Newport Ordinance No. 1949, codified as Newport Municipal Code 2.25.070, Transfer of an Interest Other than Fee Title, is hereby amended to read:

2.25.070 Transfer of an Interest in Real Property Other than Fee Title or a Lease

The transfer of an interest in real property, other than fee title or a lease, by the city is not a sale of surplus real property if the city retains title to the property. The city manager may authorize an easement or other interest in real property, other than fee title or a lease, if the value of the interest transferred is less than \$25,000, and the city manager determines that the transfer is not contrary to the public interest. If the value of the transferred interest exceeds \$25,000, the city shall follow the procedure for the sale of substandard undeveloped property.

Section 3. Section 2.25.120 is hereby added to the Newport Municipal Code:

2.25.120 Lease of Real Property

- A. The City Council may authorize a lease of city-owned real property for a period not exceeding 99 years.
- B. The City Council is required to determine that the property is not needed for public use, and that the public interest would be furthered by leasing the property.

- B. The consideration for the lease may be cash or real property, or both.
- C. Every lease shall be authorized by order of the City Council, executing the same and providing terms and conditions as may be fixed and determined by the City Council.
- D. The lease may provide that the lessee shall pay ad valorem taxes assessable against the leased property, or that the city shall pay these taxes, in which case, the anticipated amount of taxes shall be taken into consideration in determining the rental charge.

Section 4. This ordinance shall become effective 30 days after passage.

Adopted by the Newport City Council on the 21st day of February, 2012.



Mark McConnell, Mayor

ATTEST:


Margaret M. Hawker, City Recorder