

Oregon Revised Statutes Directed at Metro

**Chapter 197
Comprehensive Land Use Planning Coordination**

General Provisions

197.015 "Local government" means any city, county or Metro.

Comprehensive Planning Responsibilities

197.185 Special districts within Metro boundaries shall enter into agreement with Metro to identify the tasks, plans and programs the special districts need to complete in order to comply with the region's goals.

197.190 Metro shall be considered the county review advisory and coordinating body for Multnomah, Clackamas and Washington County areas within Metro boundaries.

Goals Compliance

197.254 (3) A special district may not contest a request for compliance if Metro finds that the district didn't enter into an agreement (197.185) or didn't coordinate its plans, programs or regulations with Metro.

**Chapter 249
Candidates; Recall**

Major Political Party Nominations and Nominations to Nonpartisan Office

246.056 A candidate for councilor of Metro will pay a filing fee of \$25.

**Chapter 251
Voters' Pamphlet**

State Voters' Pamphlet Generally

251.036 When there is a councilor or executive officer candidate for Metro, the Secretary of State will include a district map in the voters' pamphlet.

Chapter 267
Mass Transit Districts; Transportation Districts

Mass Transit Districts

- 267.020 Metro may take over control of the mass transit system at any time. Metro will then be responsible for all liabilities and obligations of the transit district. Metro will have all rights and powers of the mass transit district.

Chapter 268
Metropolitan Service Districts

General Provisions

- 268.010 The official chapter title is Metropolitan Service District Act of 1969.
- 268.015 Metro's intent is to consolidate government services and increase accountability of regional government.
- 268.020 Definitions.
- 268.030 Metro's purpose is to provide Clackamas, Multnomah, and Washington Counties with public services not adequately available through smaller government agencies.
- 268.040 Transportation facilities operated by Metro are exempt from public utility regulations.
- 268.050 Voters may exercise the powers of initiative and referendum.
- 268.060 Metro pays the cost of councilor elections.

Formation; Boundaries

- 268.100 Metro may be established through an election initiated by the most populous city or county in the district.
- 268.120 A tax base may be established through an election.

Council; Executive Officer

- 268.150 13 subdistricts elect 13 non-partisan councilors. The council shall reapportion the subdistricts. Any elector may petition the Supreme Court to review the reapportionment plan.

- 268.160 One councilor is elected by the council as presiding officer for the year. No compensation is permitted other than per diem, travel, meals and other expenses determined by the council.
- 268.170 The council appoints advisory committees consisting of metropolitan area local government officials.
- 268.180 The executive officer is elected at-large, and is not a member of the council. The executive officer's term of office is 4 years.
- 268.190 The executive officer serves as the administrator of Metro and has veto power over the council. The council is responsible for the legislative functions. It may override a veto by two-thirds vote.
- 268.210 The council may employ or dismiss any personnel or contracts which assist with the execution of council duties and powers.
- 268.215 The department directors and employees in the executive director's office serve at the pleasure of the executive director and the council staff serves at the pleasure of the council.
- 268.220 When Metro takes over a function of a public entity, it will offer employment to those who were employed by the entity to carry out the function Metro has taken over.
- 268.230 When Metro acquires an operating public transit system, it shall make arrangements to protect the interest of the transit employees.
- 268.240 If Metro does not entirely participate in PERS, Metro may provide PERS benefits to any class of employee, subject to approval of the PERS board.

Powers

- 268.300 Metro constitutes a municipal corporation of Oregon exercising public powers.
- 268.310 Metro may operate solid and liquid waste disposal facilities, provide public transportation, control surface water flow, and maintain a zoo. With voter approval it may operate major cultural, convention, exhibition, sports and entertainment facilities, as well as construct new facilities. Metro may also provide planning for criminal and juvenile justice.

- 268.312 With voter approval, Metro may manage water supply, plan human services, and operate systems of parks, detention facilities, and libraries.
- 268.315 With voter approval, Metro may levy an ad valorem (property) tax not to exceed .5 percent.
- 268.317 For solid and liquid waste disposal, Metro may operate disposal systems, enter into contracts, regulate the use of disposal and resource recovery sites, and receive and transport solid and liquid wastes.
- 268.318 The council may approve any new or modified public or private solid waste disposal, transfer, or resource recovery site in Metro's jurisdiction.
- 268.320 District voters may approve Metro assuming additional functions and powers. Local aspects of such functions may only be assumed on the basis of agreements between Metro and other public corporations. The voters may authorize a transfer of the boundary commission to Metro jurisdiction.
- 268.330 Metro may take over functions of other public corporations in accordance with an agreement. Metro may contract with any level of government for the operation of any mass transit system. Metro may do such act as required to exercise its powers.
- 268.335 Metro may establish service districts.
- 268.340 Metro may acquire property of other public corporations.
- 268.342 Metro may appropriate and acquire water rights.
- 268.345 Metro may not acquire ownership of existing major cultural, convention, and sports facilities without the consent of the local government body owning the facility.
- 268.350 Metro may contract with any public or private agency for the operation of a facility or performance of a function under Metro authorization.
- 268.355 The council may contract with any local government outside the state that shares a common boundary with the district, however, it may not provide that entity with voting privileges on the council.
- 268.357 Fees on geographic data may be imposed and collected for use with the process to obtain the data.

- 268.360 Police power may be exercised relating to Metro's authorized functions. All legislative acts shall be by ordinance. Civil penalties shall be enforced in the same manner as penalties authorized in ORS Chapter 468 (DEQ).
- 268.370 At any time, the council may order the transfer of the mass transit system to Metro. All system liabilities will become the responsibility of Metro.
- 268.380 Land use planning goals shall be adopted and activities for land use planning will be coordinated with cities and counties.
- 268.385 Metro shall exercise review, advisory, and coordinating functions previously granted to cities.
- 268.390 The Metro council shall determine a planning procedure to identify areas and activities which have a significant impact on metropolitan development, adopt an urban growth boundary, and review local government comprehensive plans.
- 268.395 Commissions may be created by ordinance for all powers and functions of Metro.
- 268.400 Any person adversely affected by a final order or action of a commission is entitled to council review.

Special Assessment Districts

- 268.460 Before beginning construction or acquisition of a facility or service that is to be financed by a special assessment district, the Metro council will adopt an ordinance describing the work, cost, financing and assessment districts for the project. If, after public notification, owners of more than half the land indicate opposition, the project may not be continued.
- 268.465 Special assessments by ordinance may be levied against property within the district in proportion to the benefits such property might have.
- 268.470 A single ordinance may meet the requirements of ORS 268.460 and 268.465.
- 268.475 Special assessment districts may be established for financing the costs for the construction or acquisition of a facility or the furnishing of a service.

- 268.480 Response cards must be mailed out with a statement of Metro's proposed action and a code to identify the parcel of property. In order to be counted, they must be returned within 14 days of the public hearing.
- 268.485 The owner of property assessed at \$100 or more has the right to pay the assessment in installments.
- 268.490 ORS 223.405 through 223.485 regarding reassessment apply to Metro.
- 268.495 Provisions for the issuance of improvement warrants by cities also apply to district special assessments, as practicable.

Finances

- 268.500 Ad valorem taxes on taxable property may be levied, but may not exceed, in any one year, .5% of its value.
- 268.503 Metro may impose vehicle registration fees.
- 268.505 Metro may impose an income tax not to exceed 1% which must be approved by the voters.
- 268.507 Excise taxes may be imposed on any person using services provided by Metro. Total revenue received from excise taxes may not exceed 6% of Metro's gross revenues in any fiscal year.
- 268.509 Excise tax revenue must be used to reduce overhead charges assessed to and transferred from operating funds.
- 268.512 Any land situated within a surface water control project of Metro's shall be subject to assessment and imposition of service fees.
- 268.513 The council has the power to charge the cities and counties in Metro a service charge, not to exceed 51 cents per capita per year, for services and activities.
- 268.514 Other means of revenue, besides service charges, shall be analyzed, considered, and proposed to provide financial support for activities and services.
- 268.515 For financial assistance Metro may obtain grants, loans, and bonds from public or private sources. Metro may also impose and collect service or user charges.
- 268.517 The fiscal year runs July 1 to June 30 of each year.

General Obligation Bonds

- 268.520 Metro can borrow money through the issuance and sale of general obligation bonds which shall never exceed in the aggregate 10% of the true cash value of all taxable property within the district.
- 268.525 Refunding bonds of the same character and tenor as those replaced may be issued if agreed in a resolution adopted by the council.
- 268.530 The issuance and sale of general obligation bonds requires approval by the electors.

Revenue Bonds

- 268.590 In connection with the issuance of revenue bonds or bond anticipation notes, a credit enhancement device (such as bond insurance) may be given, issued, or provided as payment security.
- 268.600 The council may issue and sell revenue bonds without elector approval if the proceeds are used to cover the costs incurred in issuing bonds, paying interest on outstanding bonds, and preliminary work incident to carrying out purposes and powers of the council.
- 268.610 Revenue bonds shall be authorized by ordinance of the council.
- 268.620 Lists the requirements for the form and content of revenue bonds.
- 268.630 The council has the power, any time after bond issuance has been authorized, to borrow money for the purposes that the bonds are to be issued, anticipating receipts from bond sales.
- 268.640 The council may sell authorized revenue bonds at private or public sale in the manner and at such price or prices as it shall determine.
- 268.650 Revenue bonds, refunding revenue bonds, and bond anticipation notes shall be considered to be bonds or obligations of a political subdivision for the state of Oregon.
- 268.660 The issuance of revenue bonds is an additional, alternative and supplemental authority for Metro.

Penalties

- 268.990 Violation of any ordinance adopted by Metro is punishable by a maximum of \$500 and/or 30 days in a county jail.

Chapter 391 Mass Transportation

Mass Transportation Financing Authority

- 391.605 No transfer of a mass transit district to Metro shall take effect while Oregon Mass Transit Authority bonds are outstanding, unless a plan is designed to repay the bonds.

Chapter 459 Solid Waste Control

Solid Waste Management

- 459.065 In carrying out solid waste management functions, Metro may enter into any agreement with DEQ, individuals or other local government units.
- 459.095 No local government ordinance relating to solid or liquid waste management may be adopted if it conflicts with a Metro solid or liquid waste management plan.
- 459.300 Metro may manage the disposal of solid waste from Clackamas, Multnomah or Washington County. It may use disposal sites other than those selected by DEQ.
- 459.305 (5) If Metro sends solid waste to a regional disposal site, Metro must also operate a collection system for receiving household hazardous waste, provide residential recycling containers as a pilot project, and provide an educational program for recycling and collection of hazardous materials.

Chapter 701 Occupations and Professions

- 701.015 A contractor may apply for a business license for doing business with cities within Metro's boundaries. Portland is not included.

METRO POWERS
As Provided in Oregon Revised Statues

Metro may:

- Operate regional (non-local) sewerage facilities (268.310)(1)
- Operate solid waste facilities (2)
- Control water flow (3)
- Provide mass transportation (4)
- Operate a zoo (5)
- Operate cultural, convention, exhibition, sports & entertainment facilities (6)
- Provide planning for criminal & juvenile justice (7)
- Establish other service districts (268.335)(1)
- Acquire property (268.340)(1)
- Contract with a local government outside the state (268.355)(1)
- Market geographic data (268.357)(1)
- Use police power to enforce its authorized functions (268.360)(1)
- Take over the mass transit district (268.370)
- Create commissions to perform Metro functions, except for ordinance adoption, & budget, revenue & planning authority (268.395)(1)
- Impose excise taxes (268.507)
- Charge cities & counties for planning services not to exceed 51 cents/year per capita. Sunsets 7/1/93 (268.513)
- Impose service or user charges (268.514)
- Issue revenue bonds (268.600)

With voter approval, Metro may:

- Construct new facilities relating to cultural, convention, exhibition, sports & entertainment facilities (268.310)(6)(a)
- Operate water supply & distribution systems (268.312)(1)(a)
- Plan & coordinate human services provisions (b)
- Operate parks, recreational & open space systems (c)
- Provide facilities for criminal & juvenile detention (d)
- Provide library activities (e)
- Levy a property tax (268.315)
- Assume additional functions (268.320)(1)
- Take over duties of the boundary commission (268.320)(3)
- Impose a vehicle registration fee (268.503) & (801.445)
- Impose an income tax on individuals or businesses (268.505)
- Issue general obligation bonds (268.520)

With intergovernmental agreement, Metro may:

- Acquire facilities of other governments (268.310)(b)
- Take over local aspects of a function (268.320)(2)

Metro shall:

- Adopt land use planning goals & objectives (268.380)(1)
- Review comprehensive plans of Metro cities & counties (2)
- Coordinate land use planning activities of Metro cities & counties (268.380)(3) & (197.190)(1)
- Coordinate metropolitan land use planning activities with the Federal government, state & other local government bodies (268.380)(4)
- Define a planning procedure for areas & activities that have a significant impact on the Metro area. This shall include at least air quality, water quality, transportation (268.390)(1) & solid waste (459.345)
- Prepare functional plans for these areas & activities (268.390)(2)
- Adopt an urban growth boundary (3)