

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 25-**

AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE CHAPTER 3.24 REGARDING THE COLLECTION OF SYSTEM DEVELOPMENT CHARGES PRIOR TO TEMPORARY CERTIFICATE OF OCCUPANCY.

WHEREAS, the City of Tigard is in the process of modernizing its enterprise systems across the City, including a new permitting system known as Enterprise Permitting and Licensing (EPL); and

WHEREAS, through implementation of EPL, the City identified process improvements related to the timing of collection of system development charges (SDCs); and

WHEREAS, SDCs are charges collected to reimburse the City for impacts to public infrastructure that result from development; and

WHEREAS, by collecting SDCs at the issuance of a temporary certificate of occupancy, the proposed change aligns with the City's policy to ensure that collection of system development charges occurs no later than the impacts from the development as well as current policies for the collection of SDCs at the issuance of final certificates of occupancy; and

WHEREAS, the proposed change also aligns the temporary occupancy process configured for EPL.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Tigard Municipal Code Chapter 3.24 is amended to read as follows (new text in **bold** and **underline**, deleted text in ~~striketrough~~):

3.24.080 Payment.

A. SDCs are calculated and are due and payable as follows:

1. Calculation. SDCs are calculated based on the fees in effect at the time of submittal of the complete building or plumbing permit application to which the fees relate. If a building or plumbing permit is not required and a land use decision is required, SDCs are calculated based on the fees in effect at the time of submittal of the complete land use application to which the fees relate.
2. Due and Payable.
 - a. Water SDCs are due and payable upon purchase of a water meter.
 - b. All other SDCs are due and payable prior **to issuance of a temporary certificate of occupancy, if applicable, or prior** to final inspection or the issuance of an **permanent certificate of occupancy-permit**, whichever is the city's final action; on the building or plumbing permit to which the fees relate.

c. If a building or plumbing permit is not required and a land use decision is required, all other SDCs are due and payable upon issuance of the land use decision to which the fees relate.

- B. The city may not issue **any certificate of occupancy or final inspection approval** a ~~required building permit~~ or allow a connection to the city's systems until all applicable SDCs have been paid in full; **unless an** exemption has been granted pursuant to Section 3.24.100; or installment payment arrangements have been made pursuant to Section 3.24.090.
- C. If development commences or a connection is made to the city's water, sanitary sewer, or stormwater systems without the required building permit or land use approval, all applicable SDCs will be immediately due and payable.

SECTION 2: This ordinance is effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By _____ vote of all council members present after being read by number and title only, this ____ day of _____, 2025.

Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this ____ day of _____, 2025.

Heidi Lueb, Mayor

Approved as to form:

City Attorney

Date