

SENATE AMENDMENTS TO SENATE BILL 465

By COMMITTEE ON RURAL COMMUNITIES AND ECONOMIC DEVELOPMENT

March 27

1 On page 1 of the printed bill, delete lines 5 through 27 and insert:

2 **“SECTION 1. (1) A local government with land use jurisdiction may present for**
3 **recordation in the office of the county clerk a notice of designation of substantial damage**
4 **to a residential structure when the residential structure:**

5 **“(a) Has sustained substantial damage, as defined in an ordinance for the purpose of**
6 **regulating development in hazard areas, from flooding; and**

7 **“(b) Has not been brought into compliance with ordinances regulating development in**
8 **hazard areas.**

9 **“(2) A county clerk shall record a notice of designation of substantial damage pursuant**
10 **to ORS 205.130 (3)(e).**

11 **“(3) If a local government has caused a notice of designation of substantial damage to**
12 **be recorded under this section, the local government shall present for recordation a notice**
13 **of remedy of substantial damage that declares void the notice of designation of substantial**
14 **damage recorded under this section when the structures that were substantially damaged**
15 **by flooding have been brought into compliance with ordinances regulating development in**
16 **hazard areas.**

17 **“(4) The county clerk shall record a notice of remedy of substantial damage pursuant to**
18 **ORS 205.130 (3)(e).**

19 **“(5) This section does not directly, indirectly or by implication limit or alter a preexisting**
20 **common law or statutory right or remedy, including actions for fraud, negligence or equita-**
21 **ble relief.”.**

22 On page 2, line 32, delete “and”.

23 In line 34, delete the period and insert “; and

24 “(cc) A notice of remedy of substantial damage described in section 1 of this 2013 Act.”.

25 Delete lines 39 and 40 and insert:

26 **“SECTION 3. Section 1 of this 2013 Act applies to structures substantially damaged be-**
27 **fore, on or after the effective date of this 2013 Act.”.**

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