

**SYNOPSIS**  
**LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION**

(OREGON REVISED STATUTES 199.410 TO 199.540)

The boundary commission is a state agency which reviews certain types of local government boundary changes. There is currently one boundary commission in Oregon—the Lane County Local Government Boundary Commission located in Lane County. The boundary commission was established by state law in 1969.

**Purposes of Commission**

The purposes of the commission are to simplify the local government system and guide urban expansion by:

1. Guiding the creation and growth of cities and special districts.
2. Preventing illogical extensions of local government boundaries.
3. Assuring adequate quantity and quality of public services and the financial integrity of each unit of local government.

**Commissioner Membership**

Seven members, who are residents of Lane County, are appointed by the Governor for four-year terms. Local elected or appointed officials cannot be members of the boundary commission. No more than two can be principally engaged in real estate and no more than two in the same kind of business, occupation, trade or profession. The Governor attempts to make appointments so geographic sections of Lane County are represented on the commission.

**Jurisdiction Over Certain Types of Units**

The commission has jurisdiction over the boundaries of cities; domestic water districts (ORS 264); rural fire protection districts (ORS 478); sanitary districts (ORS 450.005 to 450.245); sanitary authorities, water authorities or joint water and sewer authorities (ORS 450.600 to 450.989); park and recreation districts (ORS 266); highway lighting districts (ORS 372); vector control districts (ORS 452.020 to 452.170); county service districts (ORS 451); metropolitan service districts (ORS 268); geothermal heating districts (ORS 523); corporations organized for the purpose of supplying water for domestic use (ORS 554); library districts (ORS 357.216 to 357.286); and special road districts (ORS 371.305 to 371.360).

The commission also has jurisdiction over the formation of new private water and wastewater companies or community systems and the extension of services outside their boundaries.

The boundary commission does not have authority over all local boundary changes. For example, school districts, port districts, people's utility districts (except for supplying water), and hospital districts are not subject to the boundary commission law.

## **Two Kinds of Boundary Changes**

The law distinguishes two kinds of boundary changes—major and minor.

1. Major boundary changes are mergers, consolidations, formations and dissolutions of cities and districts.
2. Minor boundary changes are annexations to or withdrawals from existing cities or districts; transfers are also defined as minor boundary changes.

## **Other Reviews**

The commission must also review a district proposal to assume a new function and review the extension of water or wastewater service (including individual connections) outside the boundaries of cities, special service districts, or private water companies.

## **Procedural Requirements for Boundary Changes\***

1. The boundary commission receives a voter or property owner petition, a resolution from the governing body, initiating a proposal or the boundary commission initiates a boundary change.
2. Staff undertakes a study.
3. Boundary commission conducts one or more public hearings.
4. Commission makes a decision—to approve the proposal as submitted; modify the proposal to include or exclude property; or deny the proposal.
5. Enter a final order stating findings and reasons for the decision.
6. File the final order with the Secretary of State, county recorder, county assessor, city or district recorder, and Department of Revenue.
7. Expedited procedure—an optional, simplified, shortened procedure which can be used for routine, noncontroversial annexations and wastewater and water extraterritorial extensions. Under this procedure, a public hearing may not be necessary.

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\* These procedures have been simplified for this synopsis. For more details, please contact the boundary commission office.

## **Standards of Review**

1. Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of governments. *ORS 199.410(1)(b) and 199.410(3)(c)*
2. Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. *ORS 199.410(1), 199.410(2), and 199.410(3)(a)*
3. Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary change, there must be assurance that the proposed unit of government is financially viable. *ORS 199.410(1)(d), 199.410(3)(b) and (d)*
4. Consider the comprehensive plan's economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. *ORS 199.410(3)(d) and 199.462(1)*

## **Public Assistance**

The boundary commission staff is available to answer questions regarding the boundary commission, boundary change procedures, and other matters related to the boundary commission. Forms and instructions for various boundary changes are available at the office. It is always helpful to make an appointment when seeking assistance.

## **For more information, please contact:**

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