

**Street/Alley Vacation Process When Proposed by Affected Property Owners
From Oregon Revised Statutes (ORS) Chapter 271.080 through 271.120**

1. A petition is prepared by property owner and signatures gathered. (ORS 271.080)
2. A petition is presented to City staff and signatures reviewed. (ORS 271.090)
3. If petition is found adequate, then date and time for City Council review is set and notice is provided to at least one petitioner. (ORS 271.090) The notice should explain that the City Council may choose to deny the request at the time of the initial review (ORS 271.100)
4. The City Council reviews the request without a public hearing. The Council may decide to deny the request. (ORS 271.100)
5. If the Council determines that there is no reason why the vacation should not be allowed, in whole or in part, then a public hearing is scheduled. (ORS 271.100)

Note: Section 3.101.03 of the Hubbard Development Code requires a public hearing before both the Hubbard Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council. The City Council will make the final decision.

6. Notice of the public hearing is published in the local newspaper for two consecutive weeks before the hearing. (ORS 271.110 (1))
7. Within five days of the initial publication of notice, the City shall post a sign stating “Notice of Street Vacation” at either end of the area proposed for vacation. (ORS 271.110(2))
8. Before notice is published, the petitioner shall pay the City for publishing costs and other anticipated expenses. The money shall be held until actual costs are ascertained and then any excess is refunded to the petitioner. (ORS 271.110(3))
9. City staff will prepare a staff report that will be available seven days before the hearing. The staff report shall provide findings regarding: (1) whether the consent of all affected owners has been obtained, (2) whether proper notice has been provided, and (3) whether the public interest will be prejudiced by the proposed vacation. (ORS 271.120)
10. The City Council shall either: (1) approve the vacation, (2) approve or deny the vacation in part and make such reservations as are in the public interest, (3) or deny the vacation. (ORS 271.120)
11. If the vacation is granted, wholly or in part, the City Council shall formalize the decision by adopting an ordinance. (ORS 271.120)