

ORDINANCE NO. 1795

AN ORDINANCE PROVIDING FOR CONSTRUCTION PERMIT FEES FOR WORK IN PUBLIC RIGHT-OF-WAY; AND PROVIDING FOR DISPOSITION OF PROCEEDS.**THE PEOPLE OF THE CITY OF WOODBURN DO ORDAIN:**

Section 1. Permits. All street, water, sewer and storm drain service connections, installations, and alterations and franchisee installations and alterations, other than those activities exempted by Section 7 of this ordinance, in the City of Woodburn right-of-way shall require a permit from the City. The application shall be filed with the Public Works Department and at the time of issuance of the permit a fee shall be paid as outlined in Section 3 of this ordinance. No permit fee is required for those exempted by Section 4 or by Section 7 of this ordinance.

Section 2. Engineering Plan. Each type of construction project, such as water or sewer, will constitute a separate project. An engineering plan shall be required and reviewed by the City on all major construction projects before a permit can be issued. There shall be no charge for the engineering plan review and approval.

Section 3. Fees. The construction permit charge in the City of Woodburn shall be as follows:

<u>Cost</u>	<u>Fee</u>
Under \$5,000	5% of cost but not less than \$10
\$ 5,000 - \$25,000	\$ 250 + 4% over \$ 5,000
\$25,000 - \$100,000	\$1,000 + 3% over \$ 25,000
Over \$100,000	\$3,000 + 2% over \$100,000

Section 4. Franchisee Exemption. Franchisees will not be required to pay a permit fee, however, a percentage of the franchise fee shall be diverted to Public Works to cover the cost of permit, plan review and general inspection process.

Section 5. Public Works Technical Fund. Starting in the fiscal year 1983-84, and thereafter each succeeding year, the City Recorder shall transfer an amount equal to 4 percent (4%) of the franchise fee from telephone, electric, natural gas, and cable television to the Public Works Technical Fund, at the time of receipt. [Section 5 as amended by Ordinance No. 1805, passed January 10, 1983.]

Section 6. Construction Permit Fees Fund All payments received by the City under the provisions of Section 3 of this ordinance shall be deposited in, and credited to, the Construction Permit Fees Fund of the City of Woodburn, and used by the Public Works Department for engineering inspection and related activities.

Section 7. Exemptions. The City may not require a construction permit fee on:

- (1) Construction activity performed by City crews.
- (2) Certain construction activities not involving underground main extensions by a franchisee.
- (3) Wheelchair ramp construction.
- (4) Construction activities outside improved portions of street and/or activities covered by other City fees.

Section 8. Materials and Methods. Only City approved materials and methods will be used on a project during excavation and fill in the public right-of-way.

Section 9. Inspections. A minimum of 24 hours notice shall be provided to the City to inspect an approved construction project.

Section 10. Interpretation and Enforcement. Interpretation and enforcement of this ordinance shall be the responsibility of the City Engineer.

Section 11. Civil Infraction Assessment. A violation of any provision of this ordinance constitutes a class 1 civil infraction and shall be dealt with according to the procedures established by Ordinance 1998. [Section 11 as amended by Ordinance 2008, passed October 24, 1988.]

Passed by the Council November 4, 1982, and approved by the Mayor November 9, 1982.