

ORDINANCE NO. 682

AN ORDINANCE CHANGING THE SOLID WASTE FRANCHISE FEE AND AMENDING CHAPTER 12.10 OF THE TROUTDALE MUNICIPAL CODE.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

- A. Section 12.10.040 of the Troutdale Municipal Code currently states that as compensation for the franchise granted to the franchisee, the franchisee shall pay to the City a fee equal to four percent of gross cash receipts resulting from the services conducted under the franchise. This current franchise fee language does not give the City authority to increase the franchise fee at any time throughout the term of the franchise.
- B. A Public Hearing was held at the May 25th Council Meeting to get input from the residents and commercial customers on their satisfaction with the level of service received from Waste Management. Upon completion of the Public Hearing, the City Council decided to retain Waste Management as the garbage and recycling service provider for the City.
- C. The current franchise was authorized on January 1, 1995 and expired on January 1, 2000. The City administered a new franchise agreement with Waste Management that went into effect on January 1, 2000.
- D. The current solid waste franchise fee language should be revised to allow the City the opportunity to increase the franchise fee to align with other franchise fee requirements in the Portland-Metro area. Waste Management is in agreement with the proposed franchise fee language outlined in this ordinance.

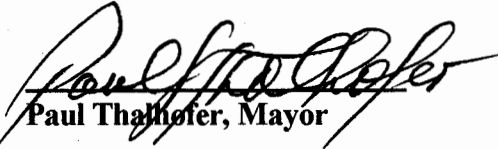
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Section 12.10.040 of the Troutdale Municipal Code is amended to read:

- A. As compensation for the franchise granted to the franchisee and for the use of city streets, the franchisee shall pay to the city a fee equal to four percent of gross revenues resulting from the solid waste services conducted under this franchise.
- B. In the event that the franchisee shall pay a franchise fee of more than four percent to any city or municipal corporation within the Portland-Metro area during the duration of the Franchise Agreement, then the franchisee shall inform the City of the same and the City shall have the right to require and

receive the same percentage as said other city or municipal corporation, to be effective upon the next rate change following a rate review process.

YEAS: 7
NAYS: 0
ABSTAINED: 0


Paul Thalhoffer, Mayor

Dated: January 12, 2000


Debbie Stickney, City Recorder

Adopted: 1-11-00