

ORDINANCE NO. 723

**AN ORDINANCE ADJUSTING THE SOLID WASTE
FRANCHISE FEE, AMENDING ~~CHAPTER~~ 12.10.050 OF THE
TROUTDALE MUNICIPAL CODE, AND REPEALING
ORDINANCE No. 572**

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City of Troutdale's current franchise agreement with Waste Management for solid waste hauling services allows for the City to raise the franchise fee paid by the franchisee if other Portland-Metro municipalities are actively collecting franchise fees greater than the fee paid in Troutdale.
2. Several Portland-Metro municipalities are collecting franchise fees of 5% on gross revenues generated from waste hauling services.
3. Increasing the franchise fee paid to the City of Troutdale for waste hauling services from the current 4% to 5% will bring the City's franchise fee in line with other Portland-Metro municipalities.
4. Ordinance No. 572, which sets the current franchise fee at 4% of gross revenues, will be replaced by this ordinance, which sets the franchise fee at 5% on gross revenues.
5. Waste Management should pay increased franchise fees effective October 1, 2002, since rates are being increased effective October 1, 2002, in part, to fund the increase in franchise fees required by this ordinance.

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

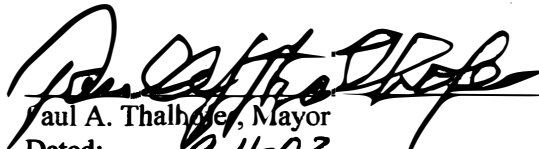
Section 1. Section 12.10.050 (Franchise Fee) of the Troutdale Municipal Code is amended as follows:


- 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 five 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 five 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.

Section 2. Ordinance No. 572 is repealed.

Section 3. The increased franchise fee imposed pursuant to this ordinance shall be retroactive and due to the City beginning October 1, 2002.

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| YEAS: | <u>6</u> |
| NAYS: | <u>1 (Kight)</u> |
| ABSTAINED: | <u>0</u> |


Paul A. Thalhofer, Mayor
Dated: 9-11-02


Debbie Stickney, City Recorder
Adopted: September 10, 2002

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