

RESOLUTION NO. 1583

**A RESOLUTION ESTABLISHING AND REVISING SPECIFIC
FEES AND CHARGES AND RESCINDING RESOLUTION NO.
1574**

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Fees and Charges schedule contained in Resolution No. 1574 imposed a Public Works Permit Fee of \$50 per permit and a Pavement Disturbance Fee of \$0.53 per square foot of disturbed pavement for work within the public right-of-way.
2. Oregon Revised Statute 221.515 exempts telecommunications carriers paying a privilege tax or franchise fee from paying any additional compensation to the municipality for its use of public streets. The statute does not grant similar relief to other franchisees.
3. To provide fair and equitable service to all franchise holders, City staff has recommended that the Public Works Permit Fee and the Pavement Disturbance Fee not be applicable to any franchisee.
4. The Fees and Charges schedule contained in Resolution No. 1574 also established a Franchise Application Fee of \$2,500 for every initial or renewal application for a franchise to utilize public rights-of-way.
5. Section 253(a) of the Federal Telecommunications Act of 1996 (the "Act") states that "No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service".
6. In "City of Auburn et al v. Quest Corporation", the United States Court of Appeals for the Ninth Circuit found that several local jurisdictions had ordinances which violated the Act by including features which had the effect of prohibiting such provision of services. One such feature was the requirement for an extensive application process, including application fees up to \$5,000.
7. To avoid any possible conflict with the Act, and to provide fair and equitable treatment to all franchise holders and not just to telecommunications providers, staff has recommended that the Franchise Application Fee be rescinded.
8. The above changes are incorporated into the Fees and Charges schedule attached to this Resolution. All other fees and charges remain the same.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY
OF TROUTDALE**


Section 1. The attached Fees and Charges schedule is hereby adopted and will be effective October 15, 2001.

Section 2. Resolution No. 1574 is rescinded effective October 15, 2001.

YEAS:	<u>6</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>



Debbie Stickney, City Recorder



Paul Thalhoff, Mayor
Dated: 10-10-01

Adopted: October 9, 2001

C:\RESOL01

CITY OF TROUTDALE

FEES AND CHARGES SCHEDULE

SECTION 1 - GENERAL

- 1.a. Lien Check Fee shall be \$10.00 for each lien search.
- 1.b. Photocopies shall be charged at \$.25 per page for standard letter or legal sized copies and \$.50 per page for 11"x 17" size copies. These fees are to cover the photocopying and associated labor cost to the City. The fees for other non-standard copy requests shall be determined by the Finance Director, based on direct cost of materials and labor plus standard City overhead charges.
- 1.c. Document Copies shall be available at the following charges:

Annual Financial Report	15.00
Budget	35.00
Comprehensive Land Use Inventory	20.00
Comprehensive Land Use Plan	10.00
Development Code	20.00
Parks Plan	20.00
Transportation System Plan	20.00
Transportation System Plan (Executive Summary)	10.00
Town Center Plan	15.00

Revenue from the above items is to be credited to the General Fund.

Capital Improvement Plan for Public Works Facilities	10.00
Construction Standards for Public Works Facilities	10.00
Engineering Specifications	As determined by the consulting engineer

Revenue from the above items is to be deposited in the Internal Services Fund for credit to Public Works Management.

- 1.d. NSF Check Fee shall be \$15.00 for each check returned due to insufficient funds in the payor's account.
- 1.e. New Resident Lists shall be provided at a fee of \$12.50 per month.
- 1.f. Liquor License Application Fee shall be \$25.00 per application, either initial application or renewal of application.

- 1.g. **Business License Listings** shall be \$25.00 per request for any Troutdale business license listings.
- 1.h. **Business License Application Fee** shall be \$50.00 per year.
- 1.i. **Request to Reprint a Business License** due to change of name, lost license or other similar requests shall be provided at \$5.00 per copy.
- 1.j. **Peddlers License Application Fee** shall be \$5.00 for each person employed as a canvasser/peddler by the business in addition to the business license fee as specified in 1.h.

SECTION 2 - PUBLIC SAFETY

- 2.a. **Police Reports Copy** charges shall be \$15.00 per report. Troutdale residents may be provided a copy of the police report without charge.
- 2.b. **Police Officer Cost** shall be \$215.00 for the minimum four hours per officer and \$53.75 per hour for each additional hour per officer that police security services are required as a condition of the Community Building Park rental or as requested by organizations for their activities.
- 2.c. **Ordinance Violation Tow Release Forms** shall be \$50.00 per release.
- 2.d. **Photo and Video Tapes:** Copies of scanned pictures shall be \$5.00 each. Copies of photos and video tapes will be the reproduction costs, plus \$25.00.
- 2.e. **Parking and Traffic Violation Fines shall be as follows:**

Over Time Limit	\$ 6	Loading/Bus/Taxi Zone	\$ 15
Over Space Line	\$ 6	In Crosswalk/Safety Zone	\$ 15
No Parking Any Time	\$ 15	Emergency/Safety Zone	\$ 30
Storage of Vehicle on Street	\$ 15	Within Ten Feet From Fire Hydrant	\$ 30
Hotel Zone	\$ 6	Block Driveway	\$ 15
Abandoned Vehicle	\$ 15	Angle Parking	\$ 15
Double Parking	\$ 15	Over Crosswalk/Sidewalk	\$ 15
During Prohibited Time	\$ 15	Mail Zone	\$ 15
Traffic Hazard	\$ 15	In Intersection	\$ 15
Tow-Away Zone	\$ 45	In Bike Lane/Path	\$ 15
Disabled Zone	\$190	Within Fifty Feet From Stop Sign	\$ 15
Wrong Side of Street	\$ 15		

- 2.f. **Parking Permit Fees**
- | | |
|---|-------|
| Parking permit - guest (not to exceed 7 days) | \$ 5 |
| Parking permit - annual resident | \$ 25 |

2.g. **Noise Variance Application Fee** shall be \$50.00 per application.

SECTION 3 - COMMUNITY DEVELOPMENT - PLANNING

3.a. **Expedited Land Division Fee** shall be \$400.00 plus \$20.00 for each lot.

3.b. **Appeal Fee of an Expedited Land Division Decision** shall be \$300.00 to the City plus an additional \$300.00 deposit for the referee's costs pertaining to the appeal. Pursuant to ORS., the referee shall assess costs of the appeal in excess of the deposit, up to a maximum of \$500.00.

3.c. **Tentative Plat Fee** shall be \$1,200.00 plus \$50.00 for each lot. Any special engineering review costs will be charged separately in addition to the filing fee.

3.d. **Final Plat Fee** shall be one-half of the Tentative Plat Fee and shall be paid when the final plat is filed.

3.e. **Residential Subdivision Street Tree Assessment** shall be \$150 for each tree.

3.f. **Special Engineering Report Evaluation** Consultant review and evaluation of special engineering studies and reports required of a development because of conditions specific to the site or because of unique construction methods will be billed to the applicant based on actual costs.

3.g. **Zone Change Application Fee** shall be \$600.00 for five acres or less; \$120.00 per acre up to a maximum of \$2,500.00 for over five (5) acres. The fee shall be per zone requested.

3.h. **Comprehensive Land Use Plan Amendment** Applicants, unless the application is requested by a majority of the City Council, shall be charged a fee of \$850.00 and shall be governed by the amendment procedures of the Comprehensive Plan.

3.i. **Annexation Fee** shall be 1% of the assessed value of the property to be annexed, up to a maximum of \$2,500, plus the Metro final annexation processing fee upon approval of the annexation application.

3.j. **Vacation of Streets, Rights-of-Way or Plat Fee** shall be \$750.00.

3.k. **Minor Partition Fee** shall be \$300.00 for partition of a parcel into two or three lots.

3.l. **Major Partition Fee** for partition of a parcel into two or three lots and creation of a street shall be based on the type of review, Type II \$400.00, Type III \$500.00.

- 3.m. **Lot Line Adjustment Fee** shall be \$100.00.
- 3.n. **Minor Variance Fee** shall be based on the type of review, Type I \$100.00, Type II \$200.00.
- 3.o. **Major Variance Fee - Type III** shall be \$300.00 for residential setback or height standards and \$500.00 for all others.
- 3.p. **Development Permit Fee** (including erosion control permit and flood hazard permit) shall be \$50.00. Erosion control reinspection fee shall be \$25.00 each time a return inspection is necessary.
- 3.q. **Temporary Use Permit Fee** shall be based on the type of review, Type I \$100.00, Type II \$200.00.
- 3.r. **Non-Conforming Use Change Fee** shall be based on the type of review, Type I \$100.00, Type II \$200.00, Type III \$500.00.
- 3.s. **Conditional Use Permit Fee** shall be \$550.00.
- 3.t. **Public Hearing Fee** for all items requiring a public hearing not specifically listed above shall be \$550.00.
- 3.u. **Site and Design Review Fees** for commercial, industrial, and multi-family projects shall be equal to 1/10th of 1% (.001) of the project value as determined by the Building Official. The minimum fee shall be \$200.00. The fee for duplex design review shall be \$100.00 per duplex.
- 3.v. **Sign Site and Design Review Fee** shall be 1% of the sign value. The minimum fee shall be \$25.00, the maximum fee shall be \$250.00.
- 3.w. **Appeals Fee - Planning Commission** shall be \$500.00 for appeals from staff decisions to the Planning Commission.
- 3.x. **Appeals Fee - City Council** shall be \$500.00 for appeals from Planning Commission decisions to the City Council.
- 3.y. **NPDES General Storm Water Permit Fee** shall be as set by the Oregon Department of Environmental Quality and shall be credited to the General Fund.
- 3.z. **Application Fee for Claims Compensation Under Article I, Section 18, of the Oregon Constitution** shall be \$2,300.00 per claim. Multiple contiguous parcels under the same ownership may be included in a single claim provided the regulation serving as the basis for each parcel's

reduced fair market value is the same. If the city deems it necessary to have a second appraisal done, the applicant shall be charged the cost of the appraisal in order to constitute a complete application. A decision on the claim shall not be rendered until the appraisal cost has been paid by the applicant.

SECTION 4 - COMMUNITY DEVELOPMENT - BUILDING

- 4.a. **Building Permit Fees (Commercial, Multi-Family & Residential)** shall be computed from the fee schedule table of the 1997 Uniform Building Code. Building valuation shall be determined by use of the current issue, current year, of the ICBO Building Standards publication (Building Valuation Data Table) or Building Valuation data published by the Oregon Building Codes Agency.
- 4.b. **Mechanical Permit Fees (Residential)** shall be computed from the fee schedule table of the 1994 Uniform Mechanical Code.
- 4.c. **Mechanical Permit Fees (non-residential)** shall be computed from the fee schedule table of the 1997 Uniform Building Code (UBC) as required by the Tri-County Agency.
- 4.d. **Single-Family Residential Plan Checking Fees** shall be calculated at 65% of the building permit fee. A deposit of \$200.00 shall be paid at time of submission of application.
- 4.e. **Commercial/Industrial Structural Plan Checking Fees** shall be calculated at 65% of the building permit fee. A plan review deposit shall be paid at the time of plan submission.
- 4.f. **Fire and Life Safety Plan Review Fees** as applicable shall be calculated at 40% of the building permit fee.
- 4.g. **Demolition Permit Fees** shall be as set forth in the attached permit form.
- 4.h. **Plumbing Permit Fees** shall be computed from the fee schedule table of the 1996 Edition of the Plumbing Specialty Code.
- 4.i. **Electrical Permit Fees** shall be computed from the fee schedule as stated in OAR 918-309-0030.
- 4.j. **Sign Permit Fees** shall be computed from the fee schedule table of the 1997 UBC based on actual valuation of the project. Signs are subject to plan checking and examination fees.
- 4.k. **Grading Permit Fees** shall be as set forth in the fee schedule table A-33-A & A-33-B of the 1997 UBC.

- 4.l. **Fire Prevention Permit Fees** shall be computed from the fee schedule table of the 1997 UBC based on valuation of the project.

SECTION 5 - COMMUNITY DEVELOPMENT - NUISANCE ABATEMENT

If a violation is not abated within thirty (30) days of the initial written notice for abatement, as provided in Section 8.28.090, the City shall impose enforcement penalties for non-compliance in accordance with the following:

- 5.a. **Assessing a monthly enforcement penalty in the following amounts:**
For properties with 1 to 4 dwelling units: \$50.00
For properties with 5 to 20 dwelling units: \$100.00
For properties with more than 20 dwelling units: \$150.00
For nonresidential development or uses: \$200.00
- 5.b. **The monthly enforcement penalty** shall be doubled if the violation is not corrected within six (6) months from the initial written notice of abatement.
- 5.c. **An additional penalty** of \$150.00 shall be assessed against any property for which a code enforcement proceeding is initiated in Troutdale Municipal Court and if the decision is made in favor of the City.
- 5.d. **The City shall file notice of possible lien** against the property with the Multnomah County Recorders office if the violation is not corrected within sixty (60) days of the initial notice of violation.
- 5.e. **The City shall collect an administrative fee** of \$35.00 for a release of lien issued to the property owner after the violation is corrected. This release will be issued directly to the property owner for personal filing with the recorders office.

SECTION 6 - PUBLIC WORKS

- 6.a. **Public Works Permit Fee** shall be \$50.00 and is required for any work performed in the public way, including pavement cuts, borings/pushes, curb cuts, sidewalk construction or repair, and connections to a City water, sewer or storm water line. Revenue is deposited in the Internal Services Fund for credit to Public Works Management. This fee is not applicable if the work is included within the scope of a Project Inspection Fee or if the work is performed by or on behalf of a utility franchised by the City of Troutdale.

- 6.b. **Project Inspection Fee** shall be charged for the inspection of all privately constructed improvements to be dedicated to the public. The amount of the fee shall be the costs actually incurred by the City for the inspection and testing service provided and is payable by the applicant within thirty (30) days after invoice. Revenue is to be deposited in the Internal Services Fund for credit to Public Works Management.
- 6.c. **Plan Review Fee** shall be \$300 plus \$30 for each additional lot up to a maximum of \$2,000 for review of construction drawings, payable at the time the drawings are submitted for review. The revenue is to be deposited as follows: 25% in the General Fund, 50% in the Internal Services Fund for credit to Public Works Management, 7.5% to the Water Fund, 10% to the Sewer Fund, and 7.5% to the Street Fund.
- 6.d. **Other Special Services** will be charged at cost (time and materials or cost billed to the City). The revenue is to be deposited in the applicable Public Works account.
- 6.e. **Yard Debris Exemption Application Fee** shall be \$15.00. The revenue is to be deposited in the General Fund.
- 6.f. **Water Service Re-Connection Charge** shall be \$20.00. This charge shall be applied if an account is not brought current and monies received by the close of business on the day prior to the day established for turn off of water service for non payment, regardless of whether or not the water service is actually turned off. The revenue is to be deposited in the Water Fund.
- 6.g. **Utility Bill Late Fee** shall be \$2.50 whenever an account is not brought current within forty-five (45) days following the end of the billing month. The revenue is to be deposited in the General Fund.
- 6.h. **Waste Water Discharge Permit Application Fee** shall be \$350.00. The revenue is to be deposited in the Internal Services Fund for Credit to Public Works Management .
- 6.i. **Copying Charges (Maps and Documents):**
- | | |
|--------------------|-----------|
| 8 1/2" x 11" | .25 each |
| 11" x 14" | .25 each |
| 11"x 17" | .50 each |
| 18"x 24" | 2.00 each |
| 24"x 36" | 2.50 each |
| 36"x 48" | 3.50 each |
| Color Maps (small) | 5.00 each |

Color Maps (large)	7.00 each
CAD Quad and Orthophoto Section Map	3.00 each
Digital City Standards Details on Disk	20.00each

Revenue from the above items is to be deposited in the Internal Services Fund for credit to Public Works Management.

- 6. j. **SDC Refund Processing Fee** shall be \$150, which is non-refundable and must accompany all requests for system development charge refunds submitted in accordance with Section 12.02.085 of the Troutdale Municipal Code. The revenue is to be deposited as follows: 50% in the General Fund and 50% in the Internal Services Fund for credit to Public Works Management.

- 6.k. **Pavement Disturbance Fee.** Whenever the pavement (including street, bikeway, curb, gutter, sidewalk, or other paved area) in a public right-of-way is cut, removed, or otherwise disturbed by an entity other than the City, such entity shall pay a fee of \$0.53 per square foot of disturbed pavement. The revenue obtained from this fee shall be deposited in the Street Fund. This fee is not applicable if the work is performed by or on behalf of a utility franchised by the City of Troutdale.

SECTION 7 - CITY BUILDINGS AND PARK FACILITIES

- 7a. Fees and charges for rental and use of city buildings and park covered areas are as shown on the attached fee tables.

- 7b. **Organized Activities** held at park sites are subject to user fees by permit as follows:

50- 100people	\$50.00
Over 100 people	\$100.00

Park sites, including the Columbia Park picnic shelter, may be reserved for use by groups of less than 50 people subject to a \$20.00 reservation fee.

- 7c. **Athletic Field Use Fees** for organized sporting events shall be as specified below. Athletic fields that are subject to use fees include baseball fields, softball fields, soccer fields, tennis courts and basketball courts. No user fees are charged for City of Troutdale Recreation Division activities. Fees to user groups may be waived in lieu of donated labor or materials subject to approval by the Parks and Facilities Supervisor or designee. User groups are responsible for lining fields and supplying goal nets and corner flags.

2 hours	\$20.00
1 day tournament	\$50.00
2 day tournament	\$75.00
Season - 5 or more non-tournament games	\$100.00
Refundable deposit for breakaway bases	\$100.00

The City of Troutdale's recreation division has first priority to field use if reserved on or before April 15th of each year, except for activities covered by preexisting use agreements. After April 15th, fields are available to groups or individuals on a first come-first serve basis.

SECTION 8 - OTHER

Materials and services not specifically addressed in the City's ordinances and resolutions may be provided upon the City Administrator's approval. The charge shall be based upon direct cost of labor and materials plus appropriate, but not less than 30%, overhead charges. The City Administrator may waive the City overhead charges partially or in total upon determination of benefit to both parties.

CITY OF TROUTDALE BUILDINGS AND COVERED AREA RENTAL FEES
TROUTDALE RESIDENT

	2 HR MEETING WEEKDAY M-F NO ALCOHOL		HALFDAY/WEEKDAY M-F Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				HALF DAY/WEEKEND SAT-SUN Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				FULL DAY MON –SUN Full day times 9:00 AM to 11:00 PM		FULL DAY MON-SUN Full day times 9:00 AM to 11:00 PM	
	RENT	DEPOSIT	NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL	
			RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT
Sam Cox Building with a kitchen	\$100	\$50	\$125	\$75	\$150	\$200	\$200	\$125	\$250	\$200	\$350	\$250	\$400	\$300
Annex	\$75	\$50	\$80	\$50	\$95	\$200	\$100	\$30	\$125	\$200	\$125	\$50	\$150	\$300
Conference Bldg. Room Holds 10	\$75	\$50	\$80	\$50	N/A	N/A	\$100	\$30	N/A	N/A	\$125	\$50	N/A	N/A
Conference Bldg. Activity Rm. Holds 30	\$75	\$50	\$80	\$50	N/A	N/A	\$50	\$30	N/A	N/A	\$125	\$50	N/A	N/A
Glenn Otto Covered Area											\$100	N/A	N/A	N/A

NOTE:

1. If alcoholic beverages are served, a Troutdale City Police Officer is required. The fee assessed is to offset related costs incurred by the use of the officer. Sponsorship and approval by the Mayor and City Council may waive this requirement. This cost shall be as established in the City's fees and charges resolution.
2. Each application is subject to a \$20.00 non-refundable application fee.
3. Local non-profit service groups will be allowed one use per month at the non-profit rate. Additional use will be charged regular rates resident/non-resident.
4. Protected dates for community wide events include: Lions Easter Egg Hunt, Troutdale Trot, Ice Cream Social, Summerfest, Harvest Faire, Recreation Program Activity.
5. Groups using a city building on a regular monthly basis are required to pay and maintain a cleaning deposit of \$200.
6. Group use of any City Park: Organized activities held at park sites are subject to user fee by permit; contact Parks Supervisor 503-666-8303 for the permit.
7. Capacity: Great Hall 100 to 250, Annex 30.
8. Refundable deposit. Need more information, contact Community Services 503-665-5175.
9. **CARETAKER 503-665-8225**

Revisions made by sdavis 6/25/01

**CITY OF TROUTDALE BUILDING & COVERED AREA RENTAL FEES
NON-RESIDENT**

	2 HR MEETING WEEKDAY M-F NO ALCOHOL		HALFDAY/WEEKDAY M-F Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				HALF DAY/WEEKEND SAT-SUN Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				FULL DAY MON –SUN Full day times 9:00 AM to 11:00 PM		FULL DAY MON-SUN Full day times 9:00 AM to 11:00 PM	
	RENT	DEPOSIT	NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL	
			RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT
Sam Cox Building with a kitchen	\$125	\$75	\$150	\$80	\$250	\$200	\$275	\$125	\$300	\$200	\$500	\$250	\$550	\$300
Annex	\$100	\$75	\$100	\$75	\$125	\$200	\$125	\$80	\$150	\$200	\$150	\$100	\$250	\$300
Conference Bldg. Room Holds 10	\$100	\$75	\$100	\$75	N/A	N/A	\$125	\$80	N/A	N/A	\$150	\$100	N/A	N/A
Conference Bldg. Activity Rm. Holds 30	\$100	\$75	\$100	\$75	N/A	N/A	\$125	\$80	N/A	N/A	\$150	\$100	N/A	N/A
Glenn Otto Covered Area											\$100	N/A	N/A	N/A

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Revisions made by sdavis 6/25/01

**CITY OF TROUTDALE BUILDING & COVERED AREA RENTAL FEES
LOCAL PUBLIC SERVICE/NON-PROFIT**

	2 HR MEETING WEEKDAY M-F NO ALCOHOL		HALFDAY/WEEKDAY M-F Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				HALF DAY/WEEKEND SAT-SUN Half day times 9:00 AM – 3:00 PM or 4:00 PM – 10:00 PM				FULL DAY MON –SUN Full day times 9:00 AM to 11:00 PM		FULL DAY MON-SUN Full day times 9:00 AM to 11:00 PM	
	RENT	DEPOSIT	NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL		NO ALCOHOL		WITH ALCOHOL	
			RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT	RENT	DEPOSIT
Sam Cox Building with a kitchen	\$80	\$50	\$90	\$50	\$100	\$200	\$100	\$100	\$125	\$200	\$125	\$250	\$150	\$300
Annex	\$70	\$50	\$30	\$40	\$100	\$200	\$100	\$25	\$110	\$200	\$110	\$50	\$125	\$300
Conference Bldg. Room Holds 10	\$70	\$25	\$50	\$40	N/A	N/A	\$80	\$25	N/A	N/A	\$110	\$50	N/A	N/A
Conference Bldg. Activity Rm. Holds 30	\$70	\$25	\$80	\$40	N/A	N/A	\$80	\$25	N/A	N/A	\$110	\$50	N/A	N/A
Glenn Otto Covered Area											\$100	N/A	N/A	N/A

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