

A BILL FOR AN ORDINANCE AMENDING)
PROVISIONS OF THE LEBANON)
MUNICIPAL CODE, BY ADDING A NEW)
SECTION, 13.04.085, IN-LIEU-OF FRANCHISE)
FEE, REPEALING SECTION 13.04.190 OF THE)
LEBANON MUNICIPAL CODE, AND)
DECLARING AN EMERGENCY)

ORDINANCE BILL NO. 33
FOR 2002
ORDINANCE NO. 2320

WHEREAS, the Water Utility and the Wastewater Utility have the use of City owned right-of ways;

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.04, Common Provisions of the Water and Wastewater Systems, of the Lebanon Municipal code is hereby amended by adding a new section, 13.04.085, In-lieu-of franchise fee, as follows:

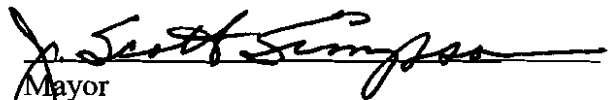
13.04.085 In-Lieu-of Franchise Fee. Effective July 1, 2002, as compensation for the use of City-owned rights-of-way, the Water and Wastewater funds shall each pay the General Fund an In-Lieu-of Franchise Fee in the amount of up to five percent (5%) of City of Lebanon water and wastewater user receipts.

Section 2. Repeal. Section 13.04.190 is hereby repealed.

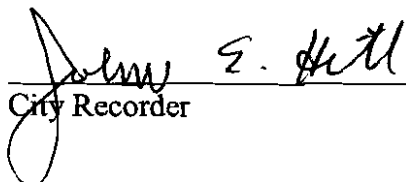
Section 3. Emergency Clause. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect immediately upon passage by the Council and approval by the Mayor.

Approved as to form:  Date: 7/17/02
Thomas A. McHill, City Attorney

Passed by the City Council on the 17th day of July, 2002 by a vote of 4 for and 0 against.


Mayor

ATTEST:


City Recorder