

RESOLUTION NO. 00-021

A RESOLUTION CLASSIFYING A FEE FOR ISSUANCE OF BANNER  
PERMITS AS NOT SUBJECT TO THE PROVISIONS OF SECTION 11B OF  
ARTICLE XI OF THE OREGON CONSTITUTION

WHEREAS, on June 12, 2000, the City Council considered and approved the adoption of a policy for the issuance of banner permits in the City, which policy included a proposed fee of \$25.00 for issuance of the permits; and

WHEREAS, ORS 294.160 provides that the City shall provide an opportunity for public comment upon the adoption of any new proposed fee; and

WHEREAS, ORS 310.145 provides that a unit of local government imposing a tax, fee, charge or assessment, must adopt an ordinance or resolution classifying whether the tax or fee is subject to the provisions of Section 11B of Article XI of the Oregon Constitution; and

WHEREAS, the proposed fee for the issuance of banner permits does not appear to qualify as a "tax" under the provisions of Section 11(b)(2)(b) of the Oregon Constitution, as the proposed fee is not being imposed by the City upon property, or upon a property owner as a direct consequence of ownership of that property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES  
RESOLVES AS FOLLOWS:

Section 1. Fee Classified. The \$25.00 fee for the issuance of banner permits is hereby determined not to be subject to the limits of Section 11(b) of Article XI of the Oregon Constitution.

PASSED AND ADOPTED THIS 10<sup>TH</sup> DAY OF JULY, 2000.

Voting Yes, Councilor: Gosiak, Davis, Davison, Wasser

Voting No, Councilor: None

Absent, Councilor: Broehl

Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 10<sup>TH</sup> DAY OF JULY, 2000.

Attest:



Robb Van Cleave, Mayor



Julie Krueger, CMC/AAE, City Clerk

