

ORDINANCE No. 183829

Revise transportation fees, rates and charges for FY July 2010-2011 and fix an effective date (Ordinance; amend Code Titles 16 and 17)

The City of Portland ordains:

Section 1. The Council finds:

1. The Approved Budget for the Bureau of Transportation for Fiscal Year 2010/11 requires adjustments to fee rates and charges for the 12-month period beginning July 1, 2010.
2. Transportation has consolidated all fee rates and charges into schedules as set forth in Attachment A (TRN-3.450 Transportation Fee Schedule) and Exhibit A and Exhibit B of this Ordinance. The consolidated schedules do not preclude the establishment and/or continuation of fees, rates and charges by resolution, ordinance, Code provision or administrative rule, not otherwise specified in the Ordinance.
3. In accordance with policies adopted by City Council, the proposed adjustments to transportation fee rates and charges are based upon cost of service principles, ensuring equity by charging ratepayers according to the service they use and maximizing flexibility in the use of City revenue sources to meet the cost for services of broader public benefit.
4. Transportation's Budget Advisory Committee and the City's Office of Management and Budget has reviewed and approved Transportation's updated service fees and fee development charge methodology; and City Council has reviewed these fee and rate charges as part of the FY 2010/11 budget process.
5. Both Title 16 and Title 17 should be amended to delete references to specific fees and charges.
6. Title 17.24.020, Figure 2, comprised of a partial listing of transportation fees, rates and charges, should be repealed so that all transportation fees, rates and charges may appear in the Portland Policy Document for ease in locating current applicable fees; the new fee schedule will be updated annually for the fiscal year. Likewise, TRN-3.404 and TRN-3.406, partial listings of transportation fees, should be repealed.

NOW, THEREFORE, the Council directs:

- a. The creation of TRN-3.450 Transportation Fee Schedule, per Attachment A.
- b. The adoption of fee rates and charges in accordance with the Fiscal Year 2010/11 budget, beginning July 1, 2010, as set forth in the attached Exhibit A and Exhibit B.
- c. Amend Title 17 as follows, effective July 1, 2010:

Chapter 17.24 Permits

Repeal Figure 2 (Section 17.24.020).

17.24.020 Fees and Charges for Street Use Permits

~~The City Engineer Transportation Bureau Director and/or City Council may establish street use permit fees and charges. Such fees shall recover full cost including all applicable overhead charges. Overhead rates shall be computed annually by the City Engineer and kept on file with the City Auditor.~~

If a larger fee is required elsewhere in this Title for any class of permit, the larger fee shall apply; otherwise the following fees and charges shall be paid for permits unless the Transportation Bureau Director or Council, by Ordinance or Resolution, has granted a specific permit for a different fee; ~~(See Figure 2 at the end of Title 17)~~. All fees for recording permits and other documents with the County Recorder shall be paid by the property owner or permittee. All fees, charges, civil penalties, and fines established by authority of this Title will be listed in the Portland Policy Documents, as amended annually by Council effective with the fiscal year budget.

17.93.030 Application Procedure and Fees.

D. The applicant shall have 180 calendar days to complete and submit the information required by Subsection C. to the City Engineer's office. If the completed application has not been submitted to the City Engineer within 180 calendar days after the application has been received by the applicant, the application shall be invalid. No time extension shall be granted. At the time of submission, the City Engineer shall check the applicant's application and accept it only if it is complete and appears to comply with the requirements of Sections 17.93.010 through 17.93.030.

1. If the City Engineer accepts the submission, the applicant shall make a fee deposit to cover the full cost of printing and mailing postcards and public notices as determined by the City Auditor. The minimum fee deposit shall be \$500 as established in the Transportation Fee Schedule if the street proposed for renaming is ten City blocks (½ mile) or less in length. If the street proposed for renaming is more than ten City blocks (½ mile), the minimum deposit shall be \$1,000 as established in the Transportation Fee Schedule. The Auditor shall refund any unused portion of the deposit to the applicant, or the applicant shall be required to pay for any cost of printing, mailings, and public notices in excess of the fee deposit.

d. Amend Title 16 as follows, effective July 1, 2010:

16.10.500 Fees and Charges Fines

~~Fees for permits and fines for permit abuse, authorized by the Title, must be established or modified by ordinance of the City Council. All fees, civil penalties, and fines collected by authority of this Title will be dedicated to the Transportation Operating Fund unless specifically directed otherwise by City Code.~~

The Transportation Director and/or City Council may establish fees and charges. If a larger fee is required elsewhere in this Title for any class of permit, the larger fee shall apply; otherwise the following fees and charges shall be paid unless the Transportation Bureau Director or Council has granted a specific permit for a different fee.

All fees, charges, civil penalties, and fines established by authority of this Title will be listed in the Transportation Fee Schedule included in Portland Policy Documents, as amended annually by Council effective with the fiscal year budget.

16.20.850 Program Administration

B. Annual Review of Program Fees: Services charges and fees are reviewed annually and updated per the City's financial policy, and are effective with the adoption of the annual budget. Ordinance number 176868 (passed September 28, 2002) approved program permit fees at full cost of service. Beginning 2003, the City Traffic Engineer will review program costs (perform cost of service analysis) in October of each year. The structure of the annual review will be based on the cost of service model, dated August 2002. Any changes to program fees resulting from the annual review will be effective the following January.

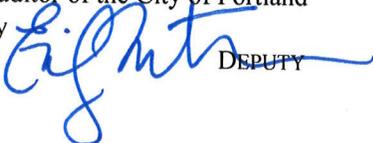
Notification of Fee Changes and Permit Renewal: A current listing of service charges and fees will be made available to the public. Upon completion of the annual cost of service analysis, permit holders will be mailed notification of any change to permit fees along with notification of the need to register for the coming year.

- e. The repeal of TRN-3.404 and TRN-3.406, including Exhibits A.
- f. TRN-3.450 Transportation Fee Schedule, and Exhibit A and Exhibit B of this Ordinance are binding city policy.

Passed by the Council, **MAY 26 2010**

Mayor Sam Adams
Prepared by: Susan Keil; J. Rist
Date Prepared: April 19, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By  DEPUTY

~~699-767~~ = = =

2140

Agenda No.
ORDINANCE NO. 183829
Title FY

Revise transportation fees, rates and charges for fiscal year July 2010-2011 and fix an effective date. (Ordinance; amend Code Titles 16 and 17)

INTRODUCED BY
Commissioner/Auditor:
MAYOR - FINANCE & ADMIN
K. Ollmann on behalf of Mayor Adams

COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Leonard

BUREAU APPROVAL

Bureau: TRANSPORTATION
Bureau Head: Susan Keil, Director

Prepared by: *Susan D. Keil*
Date Prepared: May 10, 2010

Financial Impact Statement
Completed Amends Budget
Not Required

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes No **PPD**

Council Meeting Date
May 19, 2010

City Attorney Approval *[Signature]*

CLERK USE: DATE FILED MAY 14 2010

LaVonne Griffin-Valade
LaVonne Griffin-Valade
Auditor of the City of Portland

By: *[Signature]*
Deputy

ACTION TAKEN:

MAY 19 2010 PASSED TO SECOND READING **MAY 26 2010 9:30 A.M.**

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: none
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	