

CITY OF STEVENSON, WASHINGTON

RESOLUTION NO. 222

A Resolution of the City Council of the City of Stevenson Adopting a Schedule of Fees to Provide for the Repair, Enforcement, Permit Procedures and Regulation of Activities with the City's Rights of Way

RECITALS

1. The City of Stevenson has adopted ordinances relating to the regulation of activities within the City's rights-of-way to better protect and preserve the public health, safety and welfare.
2. To meet the obligations of regulating the various types of uses of right-of-way the City has adopted a permit system that requires staff processing, inspection and enforcement and it is necessary and desirable that persons utilizing the rights-of-way and services of the City pay a fee in an amount sufficient to cover the costs of the City for providing such services.
3. Roadways and sidewalks are valuable assets of the City and it is necessary and desirable that people conducting activities that decrease the value of a roadway shall compensate the City for such degradation.

NOW THEREFORE, the City Council of the City of Stevenson RESOLVES that those fees in the following amounts shall be paid to the City by the persons utilizing such services:

Section 1 Type A Permit- Short Term Use

Upon approval of an application for a permit for a special event not protected under the First and Fourteenth Amendments of the U.S. Constitution, the Public Works Director shall assess whether significant staff time and costs will be incurred by the City as a result of the event. Fees may be waived for block parties, races, parades and other similar activities sponsored by nonprofit agencies and which further goals and objectives of the City.

- A. If the Public Works Director determines that based on the application for a Type A permit that the City will incur measurable costs the Public Works Director:
 1. Shall require payment of a \$25 fee for the Type A Permit administration, and
 2. Shall make a reasonable estimate of staff time and costs that will be incurred by the City for the event and charge a fee to recover those costs.
- B. If an applicant for a Type A permit requests the use of City barricades, temporary signs, and other traffic devices a fee of \$10 may be charged for the use of this equipment to be deposited in a sinking fund to maintain and refurbish this equipment.

Section 2 Type B Permit- Disturbance of City Right-of-Way

The Public Works Director shall review all applications for Type B Permits

1. A non-refundable application fee for a Permit for Disturbance (e.g. Utility cut, Driveway cut) of City Rights-of-Way will be charged for each Type B Permit issued. The fee is set at \$50.00. The fee covers the costs of initial processing, counter service, research, review, inspection, and record keeping.
2. If the Director determines that engineering, surveying, or other specialists services will be required, any charges for engineering review and/or special inspection services will be passed-through to the permittee based on the hourly rate of the actual costs incurred by the City.
3. A Multiple Use Fee will be available to applicants with a large number of uses that will occur within thirty (30) calendar days. This fee is available at the Director's discretion

depending on the number of uses, size of each use, coordination and purpose of each use. The Multiple Use Fee shall be \$100 plus \$20 per use.

4. If the permittee damages City facilities and the City incurs costs for the repair and/or replacement of its property as the result of the permit holder's actions, the costs for the repair and replacement will be charged at the actual costs incurred by the City.
5. When the City, at the request of the applicant, repaves cuts to the improved road surface the City will charge \$10/ sq. ft. for the work associated with the repaving activity including traffic control.
6. If an applicant is requesting a permit for a surface cut on an improved right of way when the paved surface is less than ten years old the permit holder shall also pay a degradation fee. Roadways are valuable assets to the City and no action will be allowed that decreases the value of any roadway without adequate compensation. To facilitate this, each utility will be contacted prior to a major road improvement, and asked to evaluate their facilities and determine any adjustments necessary to accommodate the roadway project. For a period of ten years within of the initial surfacing or resurfacing of the pavement of a hard surfaced roadway a roadway cut fee will be charged a degradation fee under the following formula:
$$F=p(s(l))$$

Where F is the Degradation Fee
Where p =multiplier based on the age of street (for emergencies (Ref. Section 2.H of Ord No.) 1-2 years = 2, for 2-3 years 1.5, for 3-5 years = 0.5, for 5 to 10 years = .25
Where s = the square feet of street surfaced disturbed
Where l = the cost per square feet based on current industry and market standards
7. Franchised utilities which must apply for permits due to city sponsored construction projects may be granted a waiver by the Director of normal permit fees.

Section 3 Type C Permits – Long-Term Uses of Rights of Way

The Public Works Director shall review applications for all Type C Permits and consult with the Planning Director and/or Building Inspector for all Type C Permits issued.

1. A non-refundable application fee of \$25 shall be charged for each permit issued. The fee covers the costs of initial processing, counter service, research, review, inspection, and record keeping.
2. If the Public Works Director determines that engineering, surveying, other specialist services, or other filing and/or recording activities will be required any charges for filing, engineering review and/or special inspection services will pass-through to the permittee based on the hourly rate of the actual costs incurred by the City.

Section 4 Type D Permits – Long Term and Permanent Uses of Right of Way by Agreement and Approval by Council

For Type D Permits requiring agreement and action by the City Council and envisioning a semi-permanent structure or use of the right of way the following fees shall apply:

1. A \$25 application fee
2. Responsibility for all recording and filing fees with the Skamania County Auditor's Office
3. If the City (Public Works Director, Planning Director or Building Department Director) determine that engineering, surveying, or other specialists services will be required any charges for engineering review and/or special inspection services will pass-through to the permittee based on the hourly rate of the actual costs incurred by the City.

BE IF FURTHER RESOLVED that all Resolutions and parts of Resolutions in conflict herewith are hereby repealed.

Passed by the City Council this 16th day of April 2009. Approved by the Mayor this 16th day of April 2009.

PASSED by the City Council of the City of Stevenson at a regular meeting this 16th of April, 2009.



David McKenzie
MAYOR

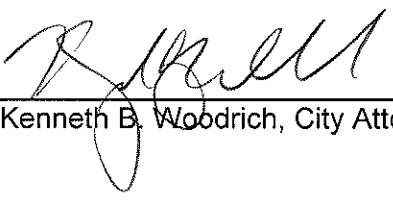
ATTEST:



Mary Ann Duncan-Cole, City Clerk

PUBLISHED Apr 29 2009
(By Summary)

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney