

**CITY OF BOARDMAN
RESOLUTION 8-2025**

**A RESOLUTION ADOPTING FEES PURSUANT TO BOARDMAN MUNICIPAL CODE CHAPTER
12.16 UTILITY USE OF THE RIGHTS-OF-WAY**

WHEREAS, the City has the authority pursuant to its Charter and the Oregon Constitution and statutes to manage its rights-of-way and to receive compensation for use of the rights-of-way consistent with applicable state and federal law; and

WHEREAS, the City amended Boardman Municipal Code Title 12 to add Chapter 12.16, Utility Use of the Rights-of-Way, that regulates utilities' use of the rights-of-way in the City; and

WHEREAS, BMC Chapter 12.16 provides that the rights-of-way use and permit fees are to be set by resolution of the City Council.

NOW, THEREFORE BE IT RESOLVED by the Boardman City Council that the following fees referenced in BMC Chapter 12.16 are hereby enacted:

FEE DESCRIPTION	AMOUNT
Construction Permit Fee	\$100.00
Utility License Application Fee	\$100.00
Electric Utility Service Rights-of-Way Use Fee	3.5% of gross revenue
Natural Gas Utility Service Rights-of-Way Use Fee	3.0% of gross revenue
Communication Utility Service Rights-of-Way Use Fee	7% of gross revenue Small Wireless Facility: Two Hundred and Seventy Dollars (\$270.00) per attachment
Minimum Annual Fee	The greater of the revenue-based fee set forth above or the following based on linear feet of facilities in the rights-of-way: Up to 5,000: \$5,000.00 5,001 to 10,000: \$7,500.00 10,001 to 20,000: \$12,500.00 More than 20,000: \$15,000.00
Utility Operator Rights-of-Way Use Fee where the operator does not provide utility services or does not earn gross revenue within the City	\$2.75 per linear foot of utility facilities in the rights-of-way, or a minimum of \$5,000.00, whichever is greater.
Late Payment Penalties	First occurrence during any one calendar year: 10 percent of the amount owed, or \$25.00, whichever is greater. Second occurrence during any one calendar year: 15 percent of the amount owed, or \$50.00, whichever is greater.

	<p>Third occurrence during any one calendar year: 20 percent of the amount owed, or \$75.00, whichever is greater.</p> <p>Fourth occurrence during any one calendar year: 25 percent of the amount owed, or \$100.00, whichever is greater.</p>
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Be it further resolved, that upon creation of a Master Fee Schedule these fees will be incorporated and then maintained as a part of that Master Fee Schedule.

This Resolution is and shall be effective from and after its enactment by the City Council.

Passed by the Boardman City Council this 1st day of April 2025.

CITY OF BOARDMAN

Mayor – Paul Keefer

Council President – Ethan Salata

Councilor – Cristina Cuevas

Councilor – Karen Pettigrew

Councilor – Brenda Profitt

Councilor– Heather Baumgartner

Councilor – Richard Rockwell

ATTEST:

Amanda Mickles – City Clerk