

ORDINANCE NO. 1452-25

AN ORDINANCE IMPOSING A PRIVILEGE TAX ON PORTLAND GENERAL ELECTRIC COMPANY FOR USE OF CITY RIGHTS-OF-WAY TO ERECT, CONSTRUCT, MAINTAIN OPERATE AN ELECTRIC LIGHT AND POWER SYSTEM WITHIN THE CITY OF TUALATIN

WHEREAS, the City Council enacted Ordinance No. 1440-20, granting a Portland General Electric Company (PGE) a non-exclusive franchise (the Franchise) to erect, construct, maintain, repair update and operate an electric light and power system within the City, and setting the franchise fee to be paid for use of City rights-of-way at 3.5% of Gross Revenue earned by PGE for providing utility service in accordance with the Franchise; and

WHEREAS, the Franchise states that Gross Revenues shall include all revenues derived by PGE within the City from PGE providing utility service, and includes, but is not limited to, the sale and use of electricity and electric service, and the use, rental or lease of utility facilities, after adjustment for the net write-off of uncollectibles; and

WHEREAS, pursuant to Ordinance No. 1440-20, Section 7(C), the City retains the right, as permitted by Oregon law, to charge a privilege tax based on a percentage of the Gross Revenue earned from PGE's customers within the City in addition to the 3.5% franchise fee as set forth in the Franchise; and

WHEREAS, the City Council deems it to be in the public interest to impose a 0.3% privilege tax upon PGE for use of City rights-of-way in accordance with the Franchise and Oregon law, which shall be in addition to the existing 3.5% franchise fee paid by PGE.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. There is hereby imposed a 0.3% per annum privilege tax to be paid by Portland General Electric Company, which shall be in addition to the existing 3.5% franchise fee, in order to reach a combined annual payment total of 3.8% per annum of the Gross Revenues earned by PGE for providing utility service in accordance with the Franchise. PGE shall remit the privilege tax to the Finance Director on or before the first (1st) day of April each year.

Section 2. This Ordinance shall be entered into the City's disposition list as set out at TMC 1-1-120 - Special Ordinances.

Section 3. Effective Date. As provided in Section 36 of the Tualatin Charter, this Ordinance shall take effect on January 1, 2026.

INTRODUCED AND ADOPTED by the City Council this 22nd day of September 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder