

ORDINANCE NO. 765

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE CHAPTER 3, SECTION 3.560, BY PROVIDING FOR A GOVERNMENTAL EXEMPTION FROM THE ESTABLISHED PRIVILEGE TAX FOR USE OF CITY RIGHT-OF-WAYS AND ALLOWING ALTERNATIVE CONSIDERATION IN LIEU OF THE TAX

WHEREAS, the City of Wilsonville (“City”) desires to amend **Wilsonville Code Chapter 3, Section 3.560**, in order to allow more flexibility with respect to how the City charges other government entities for certain uses of its right-of-way when it is determined to be in the best interest of the City to receive alternative consideration in lieu of the established Privilege Tax, so long as such alternative consideration is reasonable and applied in a nondiscriminatory fashion;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. Wilsonville City Code Chapter 3, Section 3.560, is amended to read as follows

(new language shown in italics):

“3.560 Exemptions

The following exemptions apply:

(1) Any facility placed in the right-of-way solely to provide service for transportation or vehicular use of the right-of-way is exempt from the tax.

(2) *Any facility placed in the right-of-way by or with another government entity, pursuant to an Intergovernmental Agreement (“IGA”) entered into with the City, in accordance with ORS Chapter 190, which IGA serves a public purpose and is subject to other reasonable and nondiscriminatory consideration that the City determines will better serve the public need, safety, or welfare than the tax would otherwise provide.”*

2. The City Recorder is directed to amend Wilsonville Code Chapter 3, Section 3.560, as approved above, and to make such format, style, and conforming changes to match the format and style of the Privilege Tax section of the Wilsonville Code.
3. Except as set forth above, Chapter 3 of the Wilsonville City Code remains in full force and effect, as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 15th day of December, 2014, and scheduled for second reading on January 5, 2015, commencing at the hour of 7 p.m., at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 5th day of January, 2015, by the following votes:

Yes: -5-

No: -0-

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of January, 2015.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes