



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING MINUTES September 8, 2025

[Pre-Meeting](#)

[Call to Order and American Heritage Honor Guard Presentation of Colors](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Staff Present:

City Manager John Williams, City Attorney Kaylie Klein, City Recorder Kathy Mollusky, Parks & Recreation Director Megan Big John, and Public Works Director/City Engineer Erich Lais.

[Approval of Agenda \[6:10 pm/5 min\]](#)

Councilor Carol Bryck moved to approve the agenda for the September 8, 2025, West Linn City Council Meeting Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Public Comment \[6:15 pm/10 min\]](#)

Dean Suhr reminder regarding 9-11 Honoring those who serve ceremony.

[Mayor and Council Reports \[6:25 pm/30 min\]](#)

[Reports from Community Advisory Groups](#)

Mayor Bialostosky attended the Stafford Hamlet event along with other elected. It is an important group for the future of the Stafford area.

Councilor Groner stated the Arts & Culture Commission is finishing the work required on the bike kiosk. They discussed a paper mill sculpture stating the one in the park is taped off. The Library Advisory Board decided the library is going to be fine free. They examined neighboring districts and believe fines are a burden and embarrassment and there is no evidence it makes people return books sooner. The Sustainability Advisory Board talked about Electrical Vehicle charging stations and their price and gas-powered leaf blowers. The Tualatin Riverkeepers invited people to a trip up the Tualatin River.

Councilor Bonnington said the Economic Development Committee asked members what they thought they would be doing when they signed up for this committee which is what drove the edits to the work plan. Everyone is excited about the future of that group.

[League of Oregon Cities Voting Delegate](#)

Councilor Carol Bryck moved to Nominate Councilor Groner to be the voting delegate and Councilor Bonnington to be the alternate at the LOC Conference. Council President Mary Baumgardner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Oppenlander and Parks Discussion](#)

Mayor Bialostosky wants to gauge Council's interest in continuing efforts to acquire park space at Oppenlander after the school district sold the property to Icon Construction. Icon has approached the City about potential collaboration, but the Mayor wanted to confirm whether at least three Council members supported pursuing the opportunity before dedicating further staff time.

Key Points:

- **Background:**
 - City previously tried to acquire the property with a partner (Icon) but the timing was rushed due to the closing date.
 - Icon won the right to purchase the property, have entered into contract negotiations with the school district and are now open to discussions about reserving space for a City park.
 - The Lions Club currently stores equipment at Oppenlander.
- **Public Comment & Input:**
 - **Harlan Borow (Icon):** In contract negotiations with the school district. Willing to work with the City on park space.
 - **Dean Suhr (Friends of Oppenlander):** Community values fields, trees, and wildlife. Oppenlander provides rare senior ballfields. Previous bond was tied to 10 acres; a new bond would be needed for a smaller park. Community support uncertain but possible with outreach.
- **Council & Staff Discussion:**
 - **Council President Baumgardner & Councilor Groner:** Don't want to walk away after so much work; support continued exploration.
 - **Councilor Bonnington:** Open space or less costly amenities (walking paths, trees) might be more practical than a full ballfield. Concerned about cost and national economic conditions.
 - **Councilor Bryck:** Supports exploring opportunities, even if it's just open space.
 - **Mayor Bialostosky:** Encourages community engagement to decide on priorities (ballfields, trees, open space, etc.).
 - **Parks & Recreation Director Big John:** Current configuration too small for a proper senior ballfield with parking. Other options include a neighborhood park, turf, dog park, or multi-use fields. Maintenance costs and staffing must be considered.
 - **City Manager Williams:** Important to clarify Council's interest level for discussions with Icon. Notes ongoing costs and broader financial responsibilities for the City.

Council Consensus:

All Council members expressed interest in continuing to explore a partnership with Icon and engaging the community about possible uses of the space. There is recognition that not all desired amenities can fit, and trade-offs will be necessary.

Next Steps:

- Begin community engagement and stakeholder meetings (including baseball groups).
- Explore design options and costs.
- Consider potential for a future bond measure.

- Respond back to Icon with the City's interest and priorities.

Overall:

The Council signaled support for moving forward with exploring park space at Oppenlander in collaboration with Icon, while recognizing the need for community input, design feasibility, and financial planning.

[Consent Agenda \[6:55 pm/5 min\]](#)

Agenda Bill 2025-09-08-01: Meeting Minutes for August 4, 2025 Council Meetings

[Draft Minutes Information](#)

Councilor Carol Bryck moved to approve the Consent Agenda for the September 8, 2025, West Linn City Council Meeting which includes the August 4, 2025, meeting minutes. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[7:00 pm/90 min\]](#)

Agenda Bill 2025-09-08-02: Public Hearing: RESOLUTION 2025-11, REVISING THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGES

[RES 2025-11 Information](#)

Public Works Director/City Engineer Lais explained System Development Charges (SDCs) are onetime charges paid at the time of new construction or redevelopment. Periodically, the City contracts with a financial consultant who specializes in SDC charges to review the SDC fees. With the middle housing mandates, it was decided the City needed to get into the methodology of where these SDCs should be. The City contracted with FCS Group to review the fee schedule. Due to West Linn's status of being mostly built out and mostly smaller infill lot partitions, the City's SDC calculations determined they should decrease as future demand on the sewer infrastructure is minimal. The current fees are \$4,996 and they are proposed to be reduced to \$1,094.

Mayor Bialostosky opened the public hearing. No public comment. Mayor Bialostosky closed the public hearing.

Councilor Carol Bryck moved to approve and adopt the proposed updated Sanitary Sewer System Development Charge methodology and fee via Resolution 2013-19 revising the sanitary sewer system development charges. Councilor Leo Groner seconded the motion.

Councilor Bryck stated some community members may say costs are going up everywhere, how can costs go down. When the system was built, it was built for the capacity needed. Now, the system is built out so new people will be using up the capacity, so they will be paying a reimbursement.

Mayor Bialostosky stated the City can change fees if the boundaries change, if system demand increases - not that anything is in the works in immediate future.

Councilor Bryck stated that could pertain to planning projects going through, like the waterfront and Vision43. Should any of those code or zone changes cause a bigger increase in our needs, we can revisit this.

Mayor Bialostosky stated people always say the fees are high so it's nice to see that we are taking action to reduce them.

Director Lais added projects eligible for SDC are restrictive. For example, the \$2.5 million Calaroga sewer pump station that was just completed was not eligible for SDC. The City will continue doing what we can for sanitary sewer capital improvements. It is never good to acquire less money; however, the City will be fine.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-03: RESOLUTION 2025-12, REVISING FEES AND CHARGES AS SHOWN IN ATTACHMENT A AND UPDATING THE MASTER FEES AND CHARGES DOCUMENT OF THE CITY OF WEST LINN RELATED TO SEWER SYSTEM DEVELOPMENT CHARGES \(SDCS\) RES 2025-12 Information](#)

Mayor Bialostosky stated the City has to adopt changes to the Master Fees & Charges document due to the SDC fees changing.

Councilor Carol Bryck moved to adopt Resolution 2025-12, revising fees and charges as shown in attachment A and updating the master fees and charges document of the city of West Linn related to sewer system development charges (SDCs). Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-04: ORDINANCE 1765, AMENDING WEST LINN MUNICIPAL CODE CHAPTER 8 RELATING TO THE COMMUNITY TREE CODE](#)

[ORD 1765 Community Tree Ordinance and Tree Manual Information](#)

Director Big John reminded everyone the goal for these updates for legal compliance, administrative consistency, public safety, and operational efficiency. Staff did outreach, talked with the neighborhood associations and Community Advisory Groups, and received great feedback for future code updates.

City Attorney Klein found a typo. Section 8.620(2)(b)(1) should read, in Section 8.630(A)(a through j). There is an inadvertent lower-case m that needs to be deleted. With regards to heritage trees, those amendments are shown in Exhibit A to reflect the work session changes.

Mayor Bialostosky reminded everyone this is not related to tree protection and development, that is a separate area of code and is on the planning docket.

Councilor Carol Bryck moved to approve First Reading for Ordinance 1765, amending West Linn Municipal Code Chapter 8 relating to the community tree code, and set the matter for Second Reading. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Carol Bryck moved to approve Second Reading for Ordinance 1765, amending West Linn Municipal Code Chapter 8 relating to the community tree code, and adopt the ordinance. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Carol Bryck moved to adopt the changes to the technical tree manual. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-05: Community Advisory Group Work Plans](#)

[CAG Work Plans Information](#)

City Manager Williams stated the City continues to work with CAG groups to implement code requirements and Council direction to have work plans. The goal is to provide clarity to Council, CAGs, staff, and community members to what these groups are working on and what Council needs them to be working on. Some were adopted in a previous meeting; the rest are before you for adoption tonight.

Councilor Bonnington stated the Economic Development Committee provided a friendly amendment adding (1) Historic Willamette Main Street to partnering with the Chamber of Commerce and (2) Strength, weakness, opportunities, and threats (SWOT) analysis. He read the text with the change.

Councilor Carol Bryck moved to approve the community advisory group workplans as provided as amended for the Economic Development Committee, Historic Review Board, Transportation Advisory Board and Utility Advisory Board. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Bryck clarified this is a living document and can be modified.

City Manager Williams stated each CAG is required to provide an annual report. These could remain in place until Council or the CAG sees a need for a change.

[City Manager Report \[8:30 pm/5 min\]](#)

City Manager Williams went over the next few meeting's agendas and mentioned starting October 6, Council meetings may move to Tuesday. He talked about the upcoming Police Review and Recommend Committee (PRRC) meeting on Monday and how usually, these meetings are not public due to the sensitive material. The PRRC is required by ordinance to provide two public meetings per year. This will be second one of the year, the last one was in January. He spoke about the Library infographic and emphasized there were 40,400 checkouts last month.

Mayor Bialostosky consulted with staff and Council about changing the meetings to Tuesday in October. He is working on correspondence to Neighborhood Associations and CAGs and explained why he wants to change them to Tuesdays.

[Adjourn \[8:35 pm\]](#)

Minutes approved 10-14-15.



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

CITY COUNCIL AGENDA

Monday, September 8, 2025

5:30 p.m. – Pre-Meeting – Bolton Room & Virtual*

6:00 p.m. – Business Meeting – Council Chambers & Virtual*

1. Call to Order and American Heritage Honor Guard Presentation of Colors [6:00 pm/10 min]
2. Approval of Agenda [6:10 pm/5 min]
3. Public Comment [6:15 pm/10 min]

The purpose of Public Comment is to allow the community to present information or raise an issue regarding items that do not include a public hearing. All remarks should be addressed to the Council as a body. This is a time for Council to listen, they will not typically engage in discussion on topics not on the agenda. Time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

4. Mayor and Council Reports [6:25 pm/30 min]
 - a. Reports from Community Advisory Groups
 - b. League of Oregon Cities Voting Delegate
 - c. Oppenlander and Parks Discussion

5. Consent Agenda [6:55 pm/5 min]

The Consent Agenda allows Council to consider routine items that do not require a discussion. An item may only be discussed if it is removed from the Consent Agenda. Council makes one motion covering all items included on the Consent Agenda.

- a. Agenda Bill 2025-09-08-01: Meeting Minutes for August 4, 2025 Council Meetings

6. Business Meeting [7:00 pm/90 min]

Persons wishing to speak on agenda items shall complete the form provided in the foyer and hand them to staff prior to the item being called for discussion. A separate slip must be turned in for each item. The time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

- a. Agenda Bill 2025-09-08-02: **Public Hearing**: RESOLUTION 2025-11, REVISING THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGES
- b. Agenda Bill 2025-09-08-03: RESOLUTION 2025-12, REVISING FEES AND CHARGES AS SHOWN IN ATTACHMENT A AND UPDATING THE MASTER FEES AND CHARGES DOCUMENT OF THE CITY OF WEST LINN RELATED TO SEWER SYSTEM DEVELOPMENT CHARGES (SDCS)
- c. Agenda Bill 2025-09-08-04: ORDINANCE 1765, AMENDING WEST LINN MUNICIPAL CODE CHAPTER 8 RELATING TO THE COMMUNITY TREE CODE
- d. Agenda Bill 2025-09-08-05: Community Advisory Group Work Plans

- 7. City Manager Report [8:30 pm/5 min]
- 8. Adjourn [8:35 pm]

**City Council meetings will be conducted in a hybrid format with some Councilors, staff, presenters, and members of the public attending virtually and others attending in person. The public can watch all meetings online via <https://westlinnoregon.gov/meetings> or on Cable Channel 30.*

Submit written comments by email to City Council at citycouncil@westlinnoregon.gov. We ask that written comments be provided before noon on the day of the meeting to allow City Council members time to review your comments.

If you cannot attend the meeting in person and would like to speak live at a public meeting by videoconferencing software or by phone, please complete the form located at: <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> by 4:00 pm the day of the meeting to be input into our system. Instructions on how to access the virtual meeting will then be provided to you by email prior to the meeting. If you miss the deadline and would like to speak at the meeting, please fill out the form and staff will send you a link as time allows.

The City abides by Public Meetings law. If you believe a violation has occurred, please [click here](#) to inform the staff of your concern.

To request an interpreter or other communication aid, please contact Kathy Mollusky at 503-742-6013 or kmollusky@westlinnoregon.gov.

When needed, the Council will meet in Executive Session pursuant to ORS 192.660(2).

Agenda Bill 2025-09-08-01

Date: September 2, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: John Williams, City Manager *JRW*

Subject: Draft Meeting Minutes

Purpose: Approval of City Council Meeting Minutes.

Question(s) for Council:

Does Council wish to approve the attached City Council Meeting Minutes?

Public Hearing Required: None required.

Background & Discussion:

The attached City Council Meeting Minutes are ready for Council approval.

Budget Impact: N/A

Sustainability Impact:

Council continues to present its meeting minutes online, reducing paper waste.

Council Options:

1. Approve the Council Meeting Minutes.
2. Revise and approve the Council Meeting Minutes.

Staff Recommendation:

Approve Council Meeting Minutes.

Potential Motions:

Approving the Consent Agenda will approve these minutes.

Attachments:

1. August 4, 2025, Council Meeting Minutes

22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING MINUTES August 4, 2025

[Pre Meeting](#)

[Call to Order and Pledge of Allegiance \[6:00 pm/5 min\]](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Staff Present:

City Manager John Williams, City Attorney Kaylie Klein, Assistant to City Manager Dylan Digby, Library Director Doug Erickson, Public Works Director Erich Lais, Parks and Recreation Director Megan Big John, and Finance Director Lauren Breithaupt.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Council President Mary Baumgardner moved to approve the agenda for the August 4, 2025, West Linn City Council Meeting Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Public Comment \[6:10 pm/10 min\]](#)

Kathi Halicki apologized for her behavior during the last council meeting. Council thanked her for the apology and her service to the community.

[Mayor and Council Report \[6:20 pm/15 min\]](#)

[Appoint Community Advisory Group Member](#)

Mayor Bialostosky placed before Council appointing Mikhail Rosenberg to the Transportation Advisory Board.

Council President Mary Baumgardner moved to approve the Mayor's appointment. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Reports from Community Advisory Groups](#)

Council President Baumgardner reported that she and Councilor Bryck attended the C4 (Clackamas County Coordinating Committee) Retreat, it included productive discussions on affordable housing, housing availability, and transit improvements. She also attended the Clackamas County Agribusiness Tour, which began at the Wooden Shoe Bulb Company and included visits to a small dairy farm, a large-scale flower farm, and discussions on challenges faced by modern-day farmers.

Council President Baumgardner reported that the State Legislature approved the \$45 million funding request for Willamette Falls Trust, but it remains subject to a potential line-item veto by the Governor. A decision is expected by the end of the week.

Councilor Groner asked about the Governor's reasoning for placing the funding on the veto list. Council President Baumgardner explained it's under review because lottery bonds are not typically used for such projects and noted the importance of addressing inter-tribal interests. She added she may respond to media inquiries as a Willamette Falls Trust member, not as a Council member.

Council President Baumgardner and Mayor Bialostosky have been in contact with regional, state, tribal, and Willamette Falls Trust representatives, as well as the Governor's office, to advocate for funding. Mayor Bialostosky shared that he was asked to sign an op-ed in support as Mayor. Council President Baumgardner and Councilors Bonnington, Bryck, and Groner expressed support, and City Attorney Klein confirmed this was appropriate.

Councilor Bryck said she enjoyed the C4 retreat and recently attended the Planning Commission meeting and received an update on the Waterfront Project. She announced that the Robinwood Neighborhood will be hosting their picnic on August 23rd, 12:00pm-4:00pm

Councilor Groner attended the unveiling of the new Bike Kiosk, which features impressive artwork, and later joined the procession, riding in the city's new street sweeper.

Councilor Bonnington reported attending the Sunset Neighborhood Association meeting, noting their picnic on August 17, 2025, from 3–5 p.m. He also attended the quarterly Neighborhood Association Presidents' meeting, which may switch to a bi-monthly schedule, and the Library's History as Child's Play event. He thanked Historic Willamette for organizing the recent parade.

[City Manager Annual Evaluation Process](#)

[City Manager Evaluation Process Information](#)

Mayor Bialostosky stated that a memorandum dated July 11 was distributed today. As no meetings have occurred since it was written, the item is included on today's agenda to discuss the City Manager's performance evaluation process. The Mayor presented the proposed timeline:

August 5 – Open public comment period on the evaluation, running through August 31st.

September 2 – Council receives compilation of public comments

September 12 – City Manager submits self-evaluation

September 26 – Council members submit individual evaluations

October – Conclude the process with an Executive Session and a public meeting

[Public Comment](#)

Tom Meier shared feedback and expressed concerns regarding the City Manager's performance, based on his experience working with the City Manager on various city projects. Mayor Bialostosky confirmed that Council had come to a consensus on the process for the evaluation.

City Manager Williams added that staff are encouraged to provide anonymous feedback as part of his evaluation.

[Urban Renewal Presentation \[6:35 pm/20 min\]](#)

City Manager Williams stated the Urban Renewal presentation stems from discussions with the Mayor and Council as members of the West Linn Redevelopment Agency. Following approval of the agency's first two-year budget, Council requested a discussion on next steps. Finance Director Lauren Breithaupt and consultant Elaine Howard, an expert in Urban Renewal and Tax

Increment Financing, prepared the presentation.

Finance Director Breithaupt stated that the presentation would serve as an overview of Urban Renewal, beginning with Consultant Howard's recommendations on debt issuance. It will also cover the City's timeline, anticipated financing, projected property tax revenue, and planned projects.

Consultant Howard led Council through presentation and areas that will be covered as Council considers next steps for Tax Increment Area.

[Urban Renewal 101](#)

Councilor Groner noted Parks & Recreation was missing from the list. Consultant Howard explained that Neighborhood Development Plans typically include parks and that the statutory list dates back to 1957 and has remained unchanged despite evolving implementation.

Mayor Bialostosky commented on land acquisitions, noting that based on the presentation, it may be best to wait. Consultant Howard responded that if the City has a clear plan, such as Vision43, land acquisition may be worth considering, as opportunities could arise to act strategically.

Mayor Bialostosky asked about the process for land acquisition. Consultant Howard responded that it is inadvisable to do a direct negotiation with a seller, have a third party. Consultant Howard added that property acquired through Urban Renewal has to be listed in your plan but not until you have a signed agreement to purchase.

Councilor Bryck asked that if the City owns a piece of property or acquires property within the Urban Renewal District, may the City put parameters on the use of the property? Consultant Howard responded that working within zoning, yes.

Mayor Bialostosky suggested continuing discussions with Consultant Howard at future meetings. He also asked about the status of the Highway 43 Urban Renewal District feasibility study.

City Manager Williams updated Council on the study's scope and timing, which may shift to the new Community Development Director. He emphasized that Tax Increment Financing requires strategic use due to the district's size and noted the City can manage property acquisition with in-house resources. Mayor Bialostosky suggested meeting with the West Linn Redevelopment Agency to discuss the project list, and City Manager Williams agreed.

[Consent Agenda \[6:55 pm/5 min\]](#)

Agenda Bill 2025-08-04-01: Meeting Minutes for July 14, 2025, Council Meeting

[Draft Minutes Information](#)

Council President Mary Baumgardner moved to approve the Consent Agenda for the August 4, 2025, West Linn City Council Meeting which includes the July 14, 2025, meeting minutes. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[7:00 pm/90 min\]](#)

[Agenda Bill 2025-08-04-02: RESOLUTION 2025-10, ADOPTING FINDINGS TO SUPPORT AN EXEMPTION FROM THE FORMAL INVITATION TO BID PROCESS FOR UP TO THREE ON-CALL CONSTRUCTION CONTRACTS, DECLARING SUCH EXEMPTION, AND AUTHORIZING FLEXIBILITY IN CHOOSING APPROPRIATE FORMAL PROCUREMENT METHODS FOR SUCH CONTRACTS](#)

[Resolution 2025-10 Exemption for On-Call Contractors Information](#)

City Manager Williams introduced Public Works Director/City Engineer Erich Lais. Director Lais presented the background and rationale for proposed Resolution 2025-10, citing incidents where the lack of an outside contractor required Public Works staff to respond, placing strain on City resources. He provided additional examples where on-call contractors would be utilized and thanked City Attorney Kaylie Klein for her assistance in preparing the resolution.

Director Lais stated that, once the exemption is approved, Public Works will initiate a formal Request for Proposal process to select contractors. Having three contractors on-call will benefit the City and went through Exhibit A the Findings of Facts, which provides the findings in of the Resolution.

City Attorney Klein added that they had worked with Berry Elsner to review the requirements for this exemption adding it is a very good value for the city and expedite service needs, particularly in emergency situations.

Councilor Groner asking how the \$100,000 number was determined. City Attorney Klein responded that it was discussed as a group to keep costs contained. She added that the budget will be reviewed at the end of the fiscal year, and if the \$100,000 is not sufficient, staff can return to Council to request an increase.

Mayor Bialostosky opened the public hearing on the topic.

There were no public comments.

Mayor Bialostosky closed the public hearing.

Council President Baumgardner commented that she appreciated the efficient use of staff time to help save the City money.

Council President Mary Baumgardner moved to adopt RESOLUTION 2025-10, adopting findings to support an exemption from the formal invitation to bid process for up to three on-call construction contracts, declaring such exemption, and authorizing flexibility in choosing appropriate formal procurement methods for such contracts. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-08-04-03: 2025 Road Program Project Contract Award](#)
[2025 Road Program Information](#)

Public Works Director/City Engineer Erich Lais provided an update on the City's annual paving project, which prioritizes streets in need of repair while maintaining those in good condition. This year's project will focus on seven streets, including high-traffic areas showing significant deterioration and those requiring repairs from recent construction. The streets are Rosemont (Shannon Ln to Summit), Hidden Springs, Santa Anita, Rosemont, Hillside Dr., Lower Midhill (in partnership with Ikon for a water line project), Woodhill Ct., and Upper Midhill.

Director Lais stated that Public Works advertised and opened bids on July 17, in accordance with state and local contracting rules. Seven bids were received, with Eagle Elsner identified as the lowest and most responsive bidder. Director Lais noted that the City has had positive experience working with Eagle Elsner and recommended awarding the contract to them in the amount of \$1,598,672.00.

Mayor Bialostosky asked if there were any questions from Council, there were none.

Council President Mary Baumgardner moved to approve contract award to Eagle-Elsner, Inc in the amount of \$1,598,672.00 so planned transportation improvements can proceed. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-08-04-04: Community Advisory Group Work Plans](#)

[Community Advisory Groups Workplan Information](#)

City Manager Williams noted that this topic has been discussed for several months with Council, staff, Community Advisory Groups, and the community to establish clear direction. He said this is an important step to ensure everyone understands the goals. He added that any future work outside these plans can be brought to Council for direction.

Assistant to the City Manager Dylan Digby presented the staff report, explaining that the effort stems from a Council Priority to clarify Community Advisory Group (CAG) workplans. Seven proposed workplans are being presented for approval, with additional plans still in development.

Assistant Digby explained that the workplans were developed based on the 2025-27 Council Priorities and CAG Handbooks, with input from CAG chairs, staff liaisons, and community members. He noted varying levels of guidance needed by groups and that each plan is a working document allowing CAGs to request changes or joint meetings with Council. Assistant Digby then asked if Council preferred to review the workplans individually or with staff liaison input.

Mayor Bialostosky asked Council whether they preferred to approve the workplans as a group or individually and invited staff liaisons Library Director Doug Erickson and Parks and Recreation Director Megan Big John to comment. Council President Baumgardner supported group approval. Mayor Bialostosky noted a letter from the Committee for Community Involvement (CCI) requesting more engagement with Neighborhood Associations and proposed a joint meeting to address their concerns. Council President Baumgardner agreed, and the meeting will be scheduled in the coming months.

Councilor Bryck asked Directors Erickson and Big John about any omissions or priority changes in the workplans. Parks and Recreation Director Big John said the Parks Board will adjust priorities in September and noted that oversight of the Arts and Culture Commission has shifted to her. Items 5–8 will be reviewed separately to continue prior work.

Library Director Erickson shared that Arts & Culture is focused on programming but will continue art installations at the bike kiosk. The Library Advisory Board plans to propose going fine-free in partnership with Wilsonville in the next six months, aligning with the Council's equity and inclusion goals.

Council President Baumgardner expressed support and asked if there is a financial impact. Director Erickson noted a small impact, citing the installation of return locations at schools and other city sites to reduce fines. He agreed that a joint meeting with CCI would help provide clarity.

Mayor Bialostosky mentioned the Parker Road property and related ideas, noting it is not in the workplan but could be added after review by the Parks and Recreation Advisory Board. Director Big John welcomed this opportunity.

Mayor Bialostosky thanked staff for their work and said that the Transportation Advisory Board, Economic Development Committee and Utility Advisory Board workplans will be approved at the next meeting if completed.

Council President Mary Baumgardner moved to approve the Community Advisory Group 2025-27 Workplans as provided (or edited) for the Arts and Culture Commission, Committee for Community Involvement, Library Advisory Board, Planning Commission, Parks and Recreation Board, Sustainability Advisory Board, and Youth Advisory Board Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[City Manager Report \[8:30 pm/5 min\]](#)

City Manager John Williams highlighted the summer events in the Parks and Library. Parks Director Megan Big John noted that parking at Tanner Park has been expanded and that the department is already planning for fall programs and events.

Council President Baumgardner thanked Director Big John for the excellent care of the community garden provided by the Parks Department.

City Manager Williams updated Council on upcoming meetings. Four business meetings remain in 2025, with a recess in August. The first September meeting will be a work session on September 2, covering the State of the District, sewer SDCs, tree code amendments, and long-range budget needs. The business meeting is set for September 8, followed by a work session on September 15.

Mayor Bialostosky announced he will begin law school in a week and requested that Council consider moving meetings to Tuesdays to accommodate his schedule. Council members indicated the change would not conflict with their availability. For clarification, City Manager Williams asked if the Mayor was proposing that all three-monthly meetings be moved to Tuesdays; the Mayor confirmed. Discussion will continue in September.

City Manager Williams announced that Steve Koper will begin as Community Development Director on August 5. He brings experience in land use, housing, and economic development.

This is not a new position. Koper will oversee Planning, Building, and economic development functions, supporting efforts such as Vision43 and the Waterfront plans.

[Adjourn \[8:35pm\]](#)

Draft Minutes.

DRAFT

Agenda Bill 2025-09-08-02

Date Prepared: August 26, 2025

For Meeting Date: September 8, 2025

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JW*

From: Erich Lais, PE – City Engineer/Public Works Director

Subject: Sanitary Sewer System Development Charge Adoption

Purpose:

For Council to provide formal approval and adoption of the updated methodology to the City's Sanitary Sewer System Development Charges (SDC).

Question(s) for Council:

Does Council wish to adopt the proposed updated methodology and fee for the City's Sanitary Sewer System Development Charge?

Public Hearing Required:

Yes

Background & Discussion:

The City's System Development Charges (SDC) are one-time charges paid at the time of new development, or at times, re-development, and account for expanded demand on the City's infrastructure. Application and development of SDC's are governed by Oregon Law and West Linn Municipal Code Chapter 4.400.

Periodically, the City contracts with a financial consultant which specializes in SDC calculation and methodology research to update its fees. The City has contracted with FCS, a Bowman Company, through a professional services contract to review and update its fee schedule to account for current sewer infrastructure demand and to capture updated capital needs for future expansion.

The basis of the SDC fee is comprised of both a reimbursement fee and an improvement fee. A reimbursement fee accounts for the eligible value of unused capacity in existing facilities while the improvement fee accounts for eligible costs associated with planned capacity of increasing facilities (future development).

Due to West Linn's status of being largely built out with mostly smaller infill development opportunities, the City's Sewer SDC calculation is determined to significantly decrease as future demand on the sewer infrastructure capacity is anticipated to be minimal. With adoption, a single-family dwelling unit Sanitary Sewer SDC fee will go from the current fee of \$4,996 to \$1,094.

As required, a 90-day public notice of the adoption hearing was published in the West Linn Tidings and Business Tribune, and the Sanitary Sewer System Development Methodology report was publicly posted on the City's website.

Budget Impact:

Overall reduction of the City's Sanitary Sewer System Development Charge will bring less revenue to the City's Sanitary Sewer SDC fund as described above and in the attached report.

Sustainability Impact:

Not applicable.

Council Options:

1. Provide approval to amend and adopt the proposed updated Sanitary Sewer System Development Charge methodology and fee.
2. Deny the recommendation and direct staff to solicit additional analysis of the Sanitary Sewer System fee methodology.

Staff Recommendation:

1. Provide approval to amend and adopt the proposed updated Sanitary Sewer System Development Charge methodology and fee.

Potential Motion:

I move to approve and adopt the proposed updated Sanitary Sewer System Development Charge methodology and fee via Resolution 2025-XXX.

Attachments:

1. Resolution 2025-11
2. Sanitary Sewer System Development Methodology Report

RESOLUTION 2025-11

A RESOLUTION OF THE WEST LINN CITY COUNCIL REVISING THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGES

WHEREAS, West Linn Municipal Code (“WLMC”) Sections 4.400 through 4.485 authorize the City to charge and revise system development charges (“SDC”) pursuant to ORS 223.297 through 223.314 for the purpose of creating a source of funds to pay for the installation, construction and extension of capital improvements; and

WHEREAS, The City hired Financial Consulting Solutions (“FCS Group”) to review and update the Sanitary Sewer SDC fees to account for updates to capital improvements incorporated into the adopted 2019 Sanitary Sewer Master Plan.

WHEREAS, FCS has submitted a report dated January 2025 containing their analysis and Sanitary Sewer SDC fee recommendations; and

WHEREAS, WLMC Section 4.415, 4.420, and 4.435 specify that SDC charges, methodology, and project plans be revised by resolution of the City Council; and

WHEREAS, The City desires to implement the SDC fee changes as provided in the FCS Group report to better account for capital expansion of the City’s Sanitary Sewer infrastructure as outlined in the adopted 2019 Sanitary Sewer Master Plan.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. The Sanitary Sewer SDC methodology and fees contained in the January 2025 FCS Group Report (“Report”) is adopted as the City’s Sanitary Sewer SDC. The Report is attached as Exhibit A.

SECTION 2. Sanitary Sewer System Development Charges are modified in the amounts recommended in the Report, and the Sanitary Sewer SDC shall be due and payable consistent with West Linn Municipal Code Section 4.440. The updated Sanitary Sewer SDC will be effective on October 1, 2025.

SECTION 3. The City Council determines that the fees imposed by this Resolution are not a tax subject to the property tax limitation of Article XI, Section 11(b) of the Oregon Constitution.

This resolution was PASSED and ADOPTED this ____ day of _____, 2025, and takes effect upon passage.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY



CITY OF WEST LINN

Sewer SDC Study

Submitted by:

FCS, a Bowman company
7525 166th Ave NE
Ste D-215
Redmond, WA 98052
P: 425.867.1802

Submitted to:

City of West Linn
22500 Salamo Rd.
West Linn, OR 97068
P: 503-657-0331

January, 2025

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Introduction

This section describes the project scope and policy context upon which the body of this report is based.

Project

The City of West Linn (City) is planning to update its system development charge (SDC) to recover eligible infrastructure costs and provide partial funding for the capital needs of its sewer system. In 2023, the City contracted with FCS to calculate the City's sewer SDC based on the planning documents provided by the City.

Policy

SDCs are enabled by state statute, authorized by local ordinance, and constrained by the United States Constitution.

State Statute

Oregon Revised Statutes (ORS) 223.297 to 223.316 enable local governments to establish SDCs, which are one-time fees on development that are paid at the time of development or redevelopment that creates additional demand on the system for which it is charged. SDCs are intended to recover a fair share of the cost of existing and planned facilities that provide capacity to serve future users (i.e., growth).

ORS 223.299 defines two types of SDC:

- » A reimbursement fee that is designed to recover "costs associated with capital improvements already constructed, or under construction when the fee is established, for which the local government determines that capacity exists"
- » An improvement fee that is designed to recover "costs associated with capital improvements to be constructed"

ORS 223.304(1) states, in part, that a reimbursement fee must be based on "the value of unused capacity available to future system users or the cost of existing facilities" and must account for prior contributions by existing users and any gifted or grant-funded facilities. The calculation must "promote the objective of future system users contributing no more than an equitable share to the cost of existing facilities." A reimbursement fee may be spent on any capital improvement related to the system for which it is being charged (whether cash-financed or debt-financed).

ORS 223.304(2) states, in part, that an improvement fee must be calculated to include only the cost of projected capital improvements needed to increase system capacity for future users. In other words, the cost of planned projects that correct existing deficiencies or that do not otherwise increase capacity for future users may not be included in the improvement fee calculation. An improvement fee may be spent only on capital improvements (or portions thereof) that increase the capacity of the system for which it is being charged (whether cash-financed or debt-financed).

In addition to the reimbursement and improvement fees, ORS 223.307(5) states, in part, that "system development charge revenues may be expended on the costs of complying" with state statutes concerning SDCs,

including “the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures.”

Local Ordinance

Sections 4.400 to 4.485 of the West Linn Municipal Code authorizes and governs the collection and expenditure of SDCs, including sewer, in West Linn.

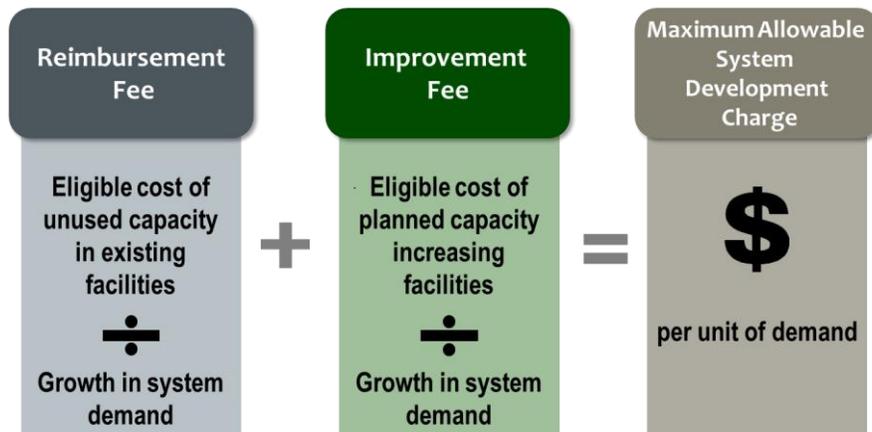
United States Constitution

The United States Supreme Court has determined that SDCs, impact fees, or other exactions that comply with state and/or local law may still violate the Takings Clause of the Fifth Amendment if they are not both related and roughly proportionate to the impact of the development. The SDCs calculated in this report are designed to meet both constitutional and statutory requirements.

SDC Background

In general, SDCs are calculated by adding a reimbursement fee component and an improvement fee component—both with potential adjustments. Each component is calculated by dividing the eligible cost by growth in units of demand. The unit of demand becomes the basis of the charge. **Exhibit 1** below provides an illustration of this calculation, and the following sections discuss each element of the calculation in detail.

Exhibit 1. SDC Diagram



Growth in System Demand

The calculation of projected growth in system demand begins with defining the units by which current and future demand will be measured. A good unit of measurement allows the City to quantify the incremental demand of development or redevelopment that creates additional demand for system facilities. A more precise unit of measurement allows the City to distinguish different levels of demand added by different kinds of development or redevelopment.

Once a unit of measurement has been selected, using the best available data, the current level of demand is quantified, and a future level of demand is estimated. The difference between the current level and the future level is the growth in demand that will serve as the denominator in the SDC calculation. Generally, the future level

of demand is measured at the end of the planning period of the relevant project list, to ensure a strong nexus between the projects to be built and the growth expected.

Reimbursement Fee

The reimbursement fee is calculated as the eligible cost of unused capacity in existing facilities that will serve growth (called the reimbursement fee cost basis) divided by the growth in system demand. The eligible cost is determined by multiplying the percentage of the total capacity available for growth by the original cost of such facilities. Some care must be taken that the percentage of capacity available for growth used in a reimbursement fee calculation only represents that capacity that will be used by growth during the planning period and does not represent capacity that will be used after the planning period.

Additionally, some adjustments to the original cost must be made. If system facilities were paid for with grants or developer contributions, then the City did not incur the costs of those facilities and cannot fairly ask developers to reimburse the City for such costs. If system facilities were paid for with debt and the debt is still outstanding, then the remaining principal is subtracted from the original cost to ensure that growth is not double paying for the same capacity; once in the SDCs, and again in the utility rates or property taxes that pay the debt service.

Improvement Fee

The improvement fee is calculated as the eligible cost of planned capacity increasing facilities (called the improvement fee cost basis) divided by the growth in system demand. The eligible cost of such projects is the percentage that provides capacity for growth during the planning period multiplied by the cost of applicable projects. Again, care must be taken so that the percentage used to calculate the eligible cost refers only to capacity expected to be used by growth during the planning period.

Additionally, some adjustments to the project cost should be made. If a project is expected to have more outside funding (such as through grants) than the ineligible cost of the project, then the eligible cost should be reduced by the difference.

Maximum Allowable SDC

The maximum allowable SDC is the improvement fee plus the reimbursement fee, plus an adjustment for administering the SDC program and complying with state law, as discussed in a previous section.

Technical Analysis

Growth

This section describes the growth in volume that will serve as the denominator in the SDC calculation, starting by defining the unit of measurement and then measuring the difference between current and future volume.

Unit of Measurement

For sewer SDCs, the water meter size necessary for a development is broadly used as a measure of its potential water demand, and thus the potential sewage flow. In order to compare meters and quantify sewer system capacity, meters are often compared by their flow rates and converted to meter capacity equivalents (MCEs). In this system, the smallest meter employed by the City is one MCE, and every larger meter is a larger number of MCEs based on their relative flow rates. Flow rates are most often based on the American Water Works Association’s (AWWA) flow rates assuming either a 5/8” or 3/4” base meter. The smallest meter size available within the City is a 5/8” meter, so a 5/8” base for the MCE calculations was selected for the sewer SDC calculation.

Growth in Demand

The City had 13,974 MCEs as of 2023 based on its meter report. According to the 2019 Sanitation Sewer Master Plan Update, the peak wet weather flow is expected to be 20.17 MGD in 2023 and increase to 23.68 MGD at expected buildout conditions. If MCEs grow at the same rate as flow, there will be 16,406 MCEs at buildout, which means there will be growth of 2,432 MCEs. The growth share, or the percentage of MCEs that will arrive between 2023 and buildout is calculated to be 14.82 percent. These calculations are summarized in **Exhibit 2** below. The growth of 2,432 MCEs will be the denominator for the sewer SDC calculation, and the growth share percentage of 14.82 percent (the portion of the future customer base that has not arrived yet) will be used for certain improvement fee cost basis calculations.

Exhibit 2. Growth in MCEs for the Sewer SDC

	Existing Conditions	Buildout Conditions	Growth	Growth %
Peak Wet Weather Flow (mgd)	20.17	23.68	3.51	14.82%
Meter Capacity Equivalents	13,974	16,406	2,432	14.82%

Improvement Fee

An improvement fee is the eligible cost of planned projects per unit of growth that such projects will serve. Since we have already calculated growth (denominator) above, we will focus here on the improvement fee cost basis (numerator).

Eligibility

A project’s eligible cost is the product of its total cost and its eligibility percentage. The eligibility percentage represents the portion of the project that creates capacity for future users. Where possible, specific details about a project can provide an eligibility percentage. Such specific details were available for some of the projects on the project list. However, when this is not possible, projects can still be sorted into three broad categories.

The first category is for projects that do not provide capacity for future users. Such projects may be purely replacement projects, or they may be solving a deficiency in the sewer system. Projects in this category are assigned zero percent eligibility. The second category is for projects that are purely for future users, such as when new pipe is laid to provide for a new development. These projects are 100 percent eligible. Finally, projects that provide capacity that will be proportionately shared between current and future users are eligible at the growth share percentage discussed in the previous section, or 14.82 percent.

Improvement Fee Cost Basis

Projects in the improvement fee cost basis were taken from the Sanitary Sewer Master Plan, which contained the City’s sewer capital improvement plan (CIP). This CIP was organized into three separate lists including pipeline projects, pumping projects, and planning projects. **Exhibit 3** below shows the project list for pipeline projects. The eligibility for each project is determined by the increase in pipe capacity in gallons per minute added at time of completion. However, six projects were identified by the system plan as having a current deficiency within the system. This indicates that at least a portion of the capacity increases from these projects will not be available for future growth. These projects received a reduction in eligibility to account for the portion of the project that was needed to resolve the current deficiency. The combined \$6.01 million pipeline projects had an average eligibility of 45.55% leaving \$2.74 million as eligible to be recovered with SDCs after accounting for these deficiencies.

Exhibit 3. Pipeline Project Improvement Fee Cost Basis

Name	Type	Existing Deficiency	Cost	Existing Diameter (in)	Needed Diameter to Cure Current Deficiency	Proposed Diameter (in)	Incremental Capacity	Override: for Existing Deficiency	Eligible Cost
P-1-1	Gravity	Yes	\$ 717,000	10"	12"	15"	54%	33%	\$ 238,151
P-1-2	Casing	Yes	1,646,000	10"	12"	15"	54%	33%	546,718
P-2	Gravity	No	147,000	10"	10"	12"	31%		44,960
P-3-1	Gravity	Yes	239,000	12"	15"	15"	33%	0%	-
P-3-2	Gravity	Yes	30,000	15"	18"	18"	31%	0%	-
P-4	Gravity	No	175,000	8"	8"	12"	54%		94,947
P-5	Gravity	Yes	401,000	8"	10"	12"	54%	31%	122,646
P-6	Gravity	Yes	132,000	10"	12"	15"	54%	33%	43,844
P-7	Gravity	No	876,000	18"	18"	24"	43%		377,775
P-8	Gravity	No	55,000	10"	10"	12"	31%		16,822
P-9	Gravity	No	67,000	12"	12"	18"	54%		36,241
P-10	Gravity	No	311,000	12"	12"	12"	0%		-
P-11	Force Main	No	1,217,000	0"	8"	8"	100%		1,217,000
Total			6,013,000						2,739,103

Exhibit 4 below shows the pump station project list. The eligibility for these projects is based on expected increases in capacity listed in the CIP. Like the pipeline projects, deficiencies were noted within the current system. The necessary increases to cure these deficiencies were noted in the column labeled “Existing Necessary Firm Capacity (mgd)” and reduced the eligibility of the project cost. This leads to \$838,571 in eligible costs out of a total project cost of \$5.3 million.

Exhibit 4. Pump Station Project Improvement Fee Cost Basis

Name	Description	Cost	Existing Firm Capacity (mgd)	Existing Necessary Firm Capacity (mgd)	Proposed Firm Capacity (mgd)	Capacity for Growth	Eligible Cost
PS-1	Mapleton Pump Station	\$ 4,254,000	2.81	3.91	4.87	20%	\$ 838,571
PS-2	Calaroga Pump Station	1,049,000	0.06	0.19	0.19	0%	-
Total		5,303,000					838,571

Lastly, **Exhibit 5** shows the planning project portion of the CIP. These projects were given either 0% eligibility, indicating that the projects did not increase system capacity, or were assessed the growth share calculated in the **Exhibit 2**. The improvement fee cost basis from all project lists is summarized in **Exhibit 6**.

Exhibit 5. Planning Project Improvement Fee Cost Basis

Name	Description	Cost	Eligibility Percentage	Eligible Cost
PL-1	Asset Management Program	\$ 200,000	0%	\$ -
PL-2	Sanitary Sewer Master Plan Update	300,000	15%	44,468
PL-3	Pump Station Condition Evaluation	100,000	0%	-
G-1	Repair and Replacement Program	15,000,000	0%	-
G-2	CCTV Program	8,789,000	0%	-
G-3	I/I Reduction Program	-	0%	-
Total		24,389,000		44,468

Exhibit 6. Total Improvement Fee Cost Basis

Type	Total Cost	Eligible Cost
Pipeline Projects	\$ 6,013,000	\$ 2,739,103
Pump Station Projects	838,571	838,571
Planning/General Projects	24,389,000	44,468
Total	\$ 31,240,571	\$ 3,622,142

Reimbursement Fee

A reimbursement fee is the eligible cost of the existing sewer facilities available for future users per unit of growth that such facilities will serve. Since growth was calculated above, we will focus on the eligible cost of the sewer facilities available for future users. That is, we will focus on the cost of reimbursable sewer facilities.

Eligibility

FCS evaluated two methods of determining potential capacity within the existing sewer system. First, the sewer system assets were divided into separate functions of service: pumping, pipelines, engineering and operations. Each of these functions were then evaluated for capacity within the system. Because the City is building and replacing pipelines as part of its planned improvements, the pipelines were not considered to have any available capacity for growth. Additionally, engineering and operations assets did not have any measurable capacity. When evaluating the City’s pump station capacity, the only two pump stations with associated asset costs, Mapleton and Calaroga, did not have excess capacity. The second method involves assigning historical expenditures of

sewer improvement fee SDCs an eligibility based on the recency of the expenditure. Since the improvement fees can only be collected to benefit future growth, it is assumed that as they are spent, that future capacity is being created and then absorbed over time.

Reimbursement Fee Cost Basis

The City provided FCS with twenty years of SDC expenditure data. Since the expenditures provided did not specify the amount spent that was improvement fees, each year of expenditures was applied the proportion of the improvement fee to the total SDC. This was then multiplied by the capacity remaining based on the year of expenditure. This is assumed to be 100% in the most recent year with the expenditure losing 5% of the created capacity each previous year . Using this method as shown in Exhibit 7 leads to a reimbursable cost basis of \$400,913.

Exhibit 7. Sewer Reimbursement Fee Cost Basis

Year	SDC Expenditures	Adjustment for Reimbursement Fees Spent	Capacity Remaining	Reimbursable Amount
FY2003	\$ -	79.6%	0%	\$ -
FY2004	132	79.6%	5%	5
FY2005	75,035	79.6%	10%	5,972
FY2006	549,573	79.6%	15%	65,612
FY2007	-	79.6%	20%	-
FY2008	42,073	79.6%	25%	8,372
FY2009	7,436	79.6%	30%	1,776
FY2010	-	79.6%	35%	-
FY2011	-	79.6%	40%	-
FY2012	42,034	79.6%	45%	15,055
FY2013	874	79.6%	50%	348
FY2014	237	79.6%	55%	104
FY2015	1,098	79.6%	60%	524
FY2016	27,646	79.6%	65%	14,302
FY2017	8,656	79.6%	70%	4,823
FY2018	39,953	79.6%	75%	23,849
FY2019	45,576	79.6%	80%	29,020
FY2020	9,042	79.6%	85%	6,117
FY2021	19,029	79.6%	90%	13,631
FY2022	95,733	79.6%	95%	72,385
FY2023	174,665	79.6%	100%	139,018
Total	\$ 1,138,792			\$ 400,913

Calculated SDC

This section combines the eligible costs from the improvement fee cost basis and the reimbursement fee cost basis and applies some adjustments. The result is a total SDC per MCE, which can then be applied to each meter size using flow factors.

Adjustments

Current SDC fund balances represent prior projects that remain unbuilt. These projects remain on the project list and are included in the improvement fee cost basis calculated above. It is reasonable to reduce this cost basis by the amount of revenue already received for those projects that remain on the list. As of June 30, 2023, the City had \$1.88 million in fund balance. Of this balance, \$1.51 is attributable to projects on the project list through previously collected improvement fees.

Based on the cost of developing SDC methodologies every five years, we estimate that \$145,580 should be added to the cost basis to account for the costs of complying with state law over the planning period.

Calculated SDC

Exhibit 3.4 below summarizes the calculation of the sewer SDC. As shown, the full SDC is \$1,094 per MCE.

Exhibit 8. Calculated Sewer SDC

Calculated SDC	
Project Costs:	
Total Project Cost	\$ 31,240,571
Average Eligibility	12%
Eligible Project Cost	\$ 3,622,142
SDC Cost Bases:	
Improvement Fee	\$ 3,622,142
Improvement Fee Fund Balance	(1,508,063)
Reimbursement Fee	400,913
Compliance Costs	145,580
Total	\$ 2,660,572
Growth in MCEs	2,432
Improvement Fee per MCE	\$ 869
Reimbursement Fee per MCE	165
Compliance Fee per MCE	60
Total SDC per MCE	\$ 1,094

The SDC per MCE calculated in **Exhibit 8** can be applied to each meter size using the schedule shown in **Exhibit 9** below.

Exhibit 9. Sewer SDC Schedule

Meter Size	MCEs	Total SDC	Current SDC
Single-family dwelling unit	1.00	\$ 1,094	\$ 4,996
Townhouse	1.00	1,094	4,996
Cottage Cluster, Separate	0.84	917	4,351
Cottage Cluster, Shared	0.84	917	4,351
2-4 Units, Shared	0.68	739	3,709
2-4 Units, Separate	0.68	739	3,709
Multi-family dwelling unit	0.42	464	2,783
5/8"	1.00	1,094	4,996
3/4"	1.50	1,641	7,494
1"	2.50	2,735	12,490
1 1/2"	5.00	5,470	24,980
2"	8.00	8,753	39,968
3"	16.00	17,505	79,936
4"	25.00	27,352	124,900
6"	50.00	54,704	249,800
8"	80.00	87,527	399,680
10"	125.00	136,761	624,500

Implementation

This section addresses practical aspects of implementing SDCs and provides a comparison with relevant jurisdictions.

Calculated SDC is Ceiling

This report documents the maximum legally defensible SDC for the sewer system of West Linn. The City has the liberty to set the SDC at any level up to the maximum defensible charge by resolution.

Indexing

ORS 223.304 allows for the periodic indexing of SDCs for inflation, as long as the index used is:

- (A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property or a combination of the three;
- (B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and
- (C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order.

In accordance with Oregon statutes, the City has provided for this practice in its municipal code. Per chapter 4.415 section three, "On July 1st of each year the SDC reflected in this methodology shall be adjusted based upon the change in the *Engineering News-Record (ENR)* Construction Cost Index (CCI) for the most recent 12-month period. No action is required of the City Council to effectuate such adjustment."

Comparisons

Exhibit 10 below compares the City's existing and maximum defensible SDCs for a single-family residence with the existing SDCs of comparable jurisdictions.

Exhibit 10. SDC Comparisons for a Single-Family Residence

	Sewer SDC
Troutdale	\$ 12,957
Independence	10,422
Portland	8,299
Wilsonville	7,102
Beaverton	7,009
St. Helens	6,158
Bend	5,890
Scappoose	5,739
West Linn (Current)	5,154
Depoe Bay	4,343
Newport	2,650
Hood River	2,270
The Dalles	1,789
West Linn (Calculated)	1,094
Astoria	175

Agenda Bill 2025-09-08-03

Date Prepared: September 2, 2025

For Meeting Date: September 9, 2025

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JW*

From: Lauren Breithaupt, Finance Director *LB*

Subject: Sanitary Sewer System Development Master Fees and Charges Update

Purpose:

To update the city's Master Fees and Charges document for fee changes in accordance with the updated Sanitary Sewer System Development Charges (SDC) methodology.

Question(s) for Council:

Shall the Council adopt fee changes consistently with the updated SDC methodology?

Public Hearing Required:

None Required.

Background & Discussion:

The City's System Development Charges (SDC) are one-time charges paid at the time of new development, or at times, re-development, and account for expanded demand on the City's infrastructure. Application and development of SDC's are governed by Oregon Law and West Linn Municipal Code Chapter 4.400.

Periodically, the City contracts with a financial consultant which specializes in SDC calculation and methodology research to update its fees. The City has contracted with FCS, a Bowman Company, through a professional services contract to review and updates its fee schedule to account for current sewer infrastructure demand and to capture updated capital needs for future expansion.

The basis of the SDC fee is comprised of both a reimbursement fee and an improvement fee. A reimbursement fee accounts for the eligible value of unused capacity in existing facilities while the improvement fee accounts for eligible costs associated with planned capacity of increasing facilities (future development).

Due to West Linn's status of being largely built out with mostly smaller infill development opportunities, the City's Sewer SDC calculation is determined to significantly decrease as future demand on the sewer infrastructure capacity is anticipated to be minimal. With adoption, a single family dwelling unit Sanitary Sewer SDC fee will go from the current fee of \$4,996 to \$1,094.

Budget Impact:

SDC Sewer Fund – the impact of lower rates were considered during the budgeting process and likely will not decrease projected revenues (\$40k per year) significantly.

Sustainability Impact:

N/A

Council Options:

1. Approve the resolution as proposed updating fees effective October 1, 2025;
2. Approve the resolution, but with certain changes as noted;
3. Do not approve the resolution leaving fees and charges as is.

Staff Recommendation:

Staff recommends that the City Council makes the following motion:

Proposed Motion – move to approve Resolution 2025-12 revising fees and charges as shown in Attachment A updating the Master Fees and Charges document.

Potential Motion:

Move to approve Resolution 2025-12 revising fees and charges as shown in Attachment A updating the Master Fees and Charges document.

Attachments:

1. Resolution 2025-12
2. Attachment A showing fee changes to Master Fees and document in red.

RESOLUTION NO. 2025-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN REVISING FEES AND CHARGES AS SHOWN IN ATTACHMENT A AND UPDATING THE MASTER FEES AND CHARGES DOCUMENT OF THE CITY OF WEST LINN RELATED TO SEWER SYSTEM DEVELOPMENT CHARGES (SDCS)

WHEREAS, it is the policy of the City of West Linn to require the discernment and recovery of certain City costs from fees and charges levied in providing City services, products and regulations; and

WHEREAS, the City Manager shall periodically cause a review of City fees and charges to recover the percentage of City costs in providing City services, products and regulations and recommend adjustments to the City Council; and

WHEREAS, West Linn advisory boards, commission, and committees periodically provide recommended adjustments to the fees and charges levied in providing City services, products and regulations; and

WHEREAS, the City Manager has caused a review of all City fees and charges, has received guidance, and has determined the cost for such fees and charges; and

WHEREAS, adoption of Resolution 2025-11 revising the sanitary sewer system development charges requires changes to the fee structure of Master Fees & Charges Section 13. Systems Development Charges (SDCs).

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS: The City of West Linn “Master Fees and Charges” document, included as Attachment A to this resolution, is hereby adopted.

This resolution was PASSED and ADOPTED this _____ day of _____, 2025, and takes effect upon passage.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY



Master Fees and Charges Document

Adopted: June 23, 2025

Updated: September 8, 2025

Effective: July 1, 2025

(Unless otherwise noted)

Attachment A

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1. General Information

1.1. Overview

The City of West Linn provides a full range of municipal services to the community, which includes police protection, traffic control and improvement, street maintenance and improvement, water, sewer, and surface water management services, planning and zoning regulation, building inspection and regulation, parks and recreational activities, and community library services. This Master Fees Schedule consolidates all City fees and charges, adopted by City Council resolution, for the various services that the City provides. Typically, it is updated annually and reflects all fee resolutions passed by Council during the year. For easy reference, the current Master Fees Schedule booklet is available online at: <http://westlinnoregon.gov/finance>.

1.2. Fee Variance & Waiver Statement

Based upon an unusual circumstance or event, past practices, demonstrated hardship, or public benefit, the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a particular matter. The request for a waiver or reduction may be in writing. If the City Manager or his designee agrees to said waiver or reduction, he/she may inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$500 or less). Establishment of a new fee, not yet authorized in this schedule, shall be approved by City Council and included and specified during the next update to this document.

1.3. Statement of Hourly Rates

Unless otherwise specified, the City employee hourly rate shall be calculated as three times the employee's hourly pay rate, to the nearest \$5 increment. This calculation shall be used to recover costs for those services billed on an hourly basis, including but not limited to professional services such as planning, engineering, public works, utility, financial, legal, parks, and police services. The use of a multiplier of three is intended to recover all overhead, training, benefits, and other costs associated with a City employee's time. Any work performed during overtime hours shall be billed the calculated three times hourly rate multiplied by 125 percent. A schedule of hourly billing rates will be maintained. The City Manager or Department Directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

2. Utility and City Services Fees

Increased 5.00%

	Effective January 1, 2024		Effective January 1, 2025		Effective January 1, 2026	
	Over 700 Cubic Feet;	Over 700 Cubic Feet;	Over 700 Cubic Feet;	Over 700 Cubic Feet;	Over 700 Cubic Feet;	Over 700 Cubic Feet;
	First 700 Cubic Feet	Per 100 Cubic Feet	First 700 Cubic Feet	Per 100 Cubic Feet	First 700 Cubic Feet	Per 100 Cubic Feet
2.1. Water Rates						
5/8"x 3/4" meter	\$ 30.20	\$ 3.48	\$ 31.71	\$ 3.65	\$ 33.30	\$ 3.83
3/4" meter	30.20	3.48	31.71	3.65	33.30	3.83
1" meter	35.85	3.48	37.64	3.65	39.52	3.83
Multi-family rate per dwelling	30.20	3.48	31.71	3.65	33.30	3.83
1-1/4" to 1-1/2" meter	41.01	3.48	43.06	3.65	45.21	3.83
2" meter	52.52	3.48	55.15	3.65	57.91	3.83
3" meter	65.93	3.48	69.23	3.65	72.69	3.83
6" meter	131.92	3.48	138.52	3.65	145.45	3.83

Note: for water users outside of City limits, a factor of 1.5 is applied to applicable utility rates.

2.2. Water Service Shut Off

Fee

Shut off fee for non-payment	\$ 30	Pursuant to Code 4.235 (2)
Shut off fees pursuant to request from customer:		
Shut off fee for a period of less than 15 days	\$ 20	Pursuant to Code 4.185 (2)
Shut off fee for a period of not less than 15 days	\$ -	Pursuant to Code 4.185 (1)

Note: a onetime fee of \$30 will be charged for shut off due to non-payment. Water shall not be returned to service until the customer pays their account balance in full and the \$30 fee. A onetime fee of \$20 will be charged to a water customer that wishes to have their service discontinued for a period of less than 15 days. Water shall not be returned to service until the customer pays their account balance in full and the \$20 fee. No shut off fee will be charged for having service discontinued for a period of not less than 15 days. Please also refer to the section below as "turn on" fees may or may not apply as well.

2.3. Water Service Turn On

Fee

Turn on fee when service is performed after regular working hours	\$ 110
Turn on fee when service is performed during regular working hours:	
Turn on for a period of less than 15 days	\$ 25
Turn on for a period of not less than 15 days	\$ -

Note: a onetime fee of \$100, in addition to shut off fees, will be charged to turn on water service after hours. A onetime fee of \$25 dollars will be charged to turn on water and set up an active billing account for less than 15 days. No fee will be charged for turn on of water service for a period of not less than 15 days.

2.4. Delinquent Services Bill Accounts

Fee

Interest: monthly interest rate on delinquent balances due	2.00%
Ten-day Notice fee (sent out for 3 months past due and over \$200)	\$ 7.50
Door Hanger Shut-off fee (received at least 2 days prior to shut-off)	\$ 15.00
Door Hanger Shut-off fee- repeat occurrence (i.e. each additional door hanger after one is received for the year)	\$ 25.00

Increased 5.00%

2.5. Bulk Water Rates (per 1,000 gallons)	<u>eff. 1/1/24</u>	<u>eff. 1/1/25</u>	<u>eff. 1/1/26</u>
5/8"x 3/4" meter	\$ 5.79	\$ 6.08	\$ 6.38

A special bulk water charge shall be charged to bulk users, such as commercial cleaning services, commercial spraying businesses, contractors and other commercial bulk users of water recognized by the city. Each bulk user shall obtain a permit from the public works department, which shall be free of charge, and the user may be required to pay a refundable cash deposit of one hundred dollars or more before the permit is granted.

2.6. Reduced Utility Bill Rates for Qualifying Low-income Households

Increased 5.00%
Effective

	<u>Effective</u> <u>January 1, 2024</u>		<u>Effective</u> <u>January 1, 2025</u>		<u>Effective</u> <u>January 1, 2026</u>	
	Over 700 Cubic Feet; First 700 Cubic Feet	Per 100 Cubic Feet	Over 700 Cubic Feet; First 700 Cubic Feet	Per 100 Cubic Feet	Over 700 Cubic Feet; First 700 Cubic Feet	Per 100 Cubic Feet
5/8"x 3/4" meter	\$ 15.10	\$ 3.48	\$ 15.86	\$ 3.65	\$ 16.65	\$ 3.83
3/4" meter	15.10	3.48	15.86	3.65	16.65	3.83

Monthly water service charges to the principal residence of low income citizens as defined in this section shall be as follows: for 5/8-inch or 3/4-inch water meter; the first 700 cubic feet of water use shall be charged at one-half the regular consumption rate; water used in excess of the first seven hundred cubic feet of water used shall be charged at the regular consumption rate. There shall be no reduced water service charge for meters in excess of those described above.

Only principal residences occupied by a person(s) having an annual income(s) that does not exceed 185% of the federal poverty low income guidelines (as established for both single and multiple person households, by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).), are eligible for reduced utility bill rates renewable July 1st of every fiscal year.

Increased 5.00%
Effective

2.7. Water Meter Installation Services	<u>Effective</u> <u>January 1, 2024</u>		<u>Effective</u> <u>January 1, 2025</u>		<u>Effective</u> <u>January 1, 2026</u>	
	Dig-In Service	Drop-In Service	Dig-In Service	Drop-In Service	Dig-In Service	Drop-In Service
5/8"x 3/4" meter	\$ 3,681	\$ 494	\$ 3,865	\$ 519	\$ 4,058	\$ 545
3/4" meter	3,772	583	3,961	612	4,159	643
1" meter	3,861	674	4,054	708	4,257	743
1" to 1-1/2" meter	6,465	1,033	6,788	1,085	7,127	1,139
2" meter	6,824	1,706	7,165	1,791	7,523	1,881

All other connection and installation charges for water meters in excess of two-inches shall be determined after the City has performed the work and the actual cost has been determined. Such cost shall include labor, materials and services, equipment and indirect overhead costs. An advance cash deposit shall be required at the time that a building permit is issued for water meters in excess of 2-inches: for each three-inch meter, \$10,000; four-inch meter, \$10,000; six-inch meter, \$15,000; and eight-inch meter \$15,000.

When the amount of the cash deposit exceeds the City's actual cost, the difference shall be refunded. When the City's actual cost exceeds the cash deposit, the difference shall be due immediately; if the difference is not paid within 30 days of the billing date, interest and finance charges shall accrue at the rates stated in Section 2.4. The price structure has been calculated to recover costs associated with dig-in service piping installations up to and including 40 linear feet.

Any service installation requiring piping extensions ranging from 40 linear feet up to 125 linear feet will be charged an additional \$50 per linear foot, in addition to the charge listed above. Service installations requiring piping extensions longer than 125 linear feet shall be negotiated. The West Linn Public Works Department will provide a written estimate detailing the work to be performed, and the applicant shall agree and make a cash deposit prior to the commencement of work. Final billings for this work shall be consistent with this fee schedule.

Service Definitions:

Dig-in Service: Condition where the City or its agent must physically tap into a main water line to extend water service to the property.

Drop-in Service: An existing condition where a developer of a residential subdivision or commercial complex has installed water services to each serviceable and buildable lot in accordance with City specifications.

2.8. Sanitary Sewer Collection Rates	Effective January 1, 2024		Effective January 1, 2025		Effective January 1, 2026	
	Residential	Commercial	Residential	Commercial	Residential	Commercial
					Increased 5.00%	
City of West Linn	\$ 26.49	\$ 26.49 plus \$2.65 per CCF over 10 per month	\$ 27.81	\$ 27.81 plus \$2.78 per CCF over 10 per month	\$ 29.20	\$ 29.20 plus \$2.92 per CCF over 10 per month
Tri-City Service District	Effective July 1, 2023		Effective July 1, 2024		Effective July 1, 2025	
	Residential	Commercial	Residential	Commercial	Residential	Commercial
	\$ 27.90	\$ 27.90	\$ 29.30	\$ 29.30	\$ 30.75	\$ 30.75
		\$ 2.79 per CCF over 10 per month		\$ 2.93 per CCF over 10 per month	est.	\$ 3.08 per CCF over 10 per month

Tri-City Service District is the separate entity that treats City of West Linn sewage and accordingly, the City passes through their charges to West Linn citizens. These pass-through charges are not determined by the City, but rather by the Tri-City Service District and historically have changed every July 1st, as opposed to January 1st when the City's charges have historically changed.

The above sewer rates for Tri-City Service District are actually stated on a per "Equivalent Dwelling Unit (EDU) basis, which should be based on water consumption". So in converting their EDU rates over to CCFs which are used for billing commercial properties in West Linn, if for residential units, every residence is deemed to have 1 EDU and therefore 1 base fee charge applies, then for commercial property, West Linn has historically (since at least 1999) determined that since 1 EDU = 1 residence = which is also about 10 CCFs. Therefore, for commercial billing purposes in West Linn, bill one of Tri-City's base fee which would include 10 CCFs, as a minimum charge for all commercial properties, and then one-tenth of the same base rate per CCF for water consumption used over 10 CCFs per month.

2.9. Surface Water Management Rates	Effective	Effective	Increased 5.00% Effective
	January 1, 2024	January 1, 2025	January 1, 2026
	Equivalent Service Units (ESUs)	Equivalent Service Units (ESUs)	Equivalent Service Units (ESUs)
Monthly charge per ESU	\$ 9.08	\$ 9.53	\$ 10.01
Single family residential	1 ESU	1 ESU	1 ESU
Apartments (per unit)	\$ 9.08	\$ 9.53	\$ 10.01
Duplex	2 ESU	2 ESU	2 ESU
Triplex	3 ESU	3 ESU	3 ESU

Total equivalent service units are based on measured impervious area. The rate for "All Other Improved Premises" shall be computed by dividing the total measured impervious area by 2,914 square feet. The quotient is rounded to the nearest whole number and multiplied by the base equivalent service unit rate.

The City Council determines that the fees imposed upon by this resolution are not taxes subject to the property tax limitations of Article XI, section 11 of the Constitution.

2.10. Street Permit Fee	Permit Fee
Permit per project or contract	\$ 60

Street permit fees are charged on a per project or per contract basis.

2.11. Roadway Maintenance Fee (or commonly referred to as Street Maintenance Fee)	Effective	Effective	Increased 5.00% Effective
	July 1, 2023	July 1, 2024	July 1, 2025
	Charge per Month	Charge per Month	Charge per Month
Residential:			
Single family residence	\$ 16.81 per month	\$ 17.65 per month	\$ 18.53 per month
Multi-family residence	15.93 per month	16.73 per month	17.57 per month
Commercial, Public Properties:			
Home-based businesses	\$ 9.12 per month	\$ 9.58 per month	\$ 10.06 per month
0 to 50 trips	9.12 per month	9.58 per month	10.06 per month
51 to 250 trips	1.02 per trip	1.07 per trip	1.12 per trip
251 to 500 trips	1.23 per trip	1.29 per trip	1.35 per trip
501+ trips	1.41 per trip	1.48 per trip	1.55 per trip
Maximums and Caps:			
Commercial maximum	\$1,165	\$1,200	\$1,236
Commercial yearly increase max	3%	3%	3%
Public institution maximum	\$300	\$300	\$300

A residence is defined by the presence of any size water meter, for the roadway maintenance fee. The system and structure of fees for roadway maintenance can be controlled through the vacancy of a residence and turning off water service to the vacant residence. The City Council determines that the roadway maintenance fees imposed upon residences are not taxes subject to the property tax limitations of Article XI, section 11(b) of the Oregon Constitution.

A multi-family housing unit is defined as a residential structure with multiple dwelling units in the same building that share one water meter. Because multi-family housing units cannot define vacancy based on the absence of water service, a multi-family rate can apply to eligible multi-family housing units. The multi-family housing rate is discounted based on the city-wide vacancy rate as determined by the City of West Linn Planning Department in effect for a one-year period as of July 1 of each fiscal year.

Per trip calculation for business establishments shall be calculated using trip generation rates for various types of development as provided in the Trip Generation Manual of the Institute of Traffic Engineers. Business establishments shall have the opportunity to review and modify data used in the trip calculation formula.

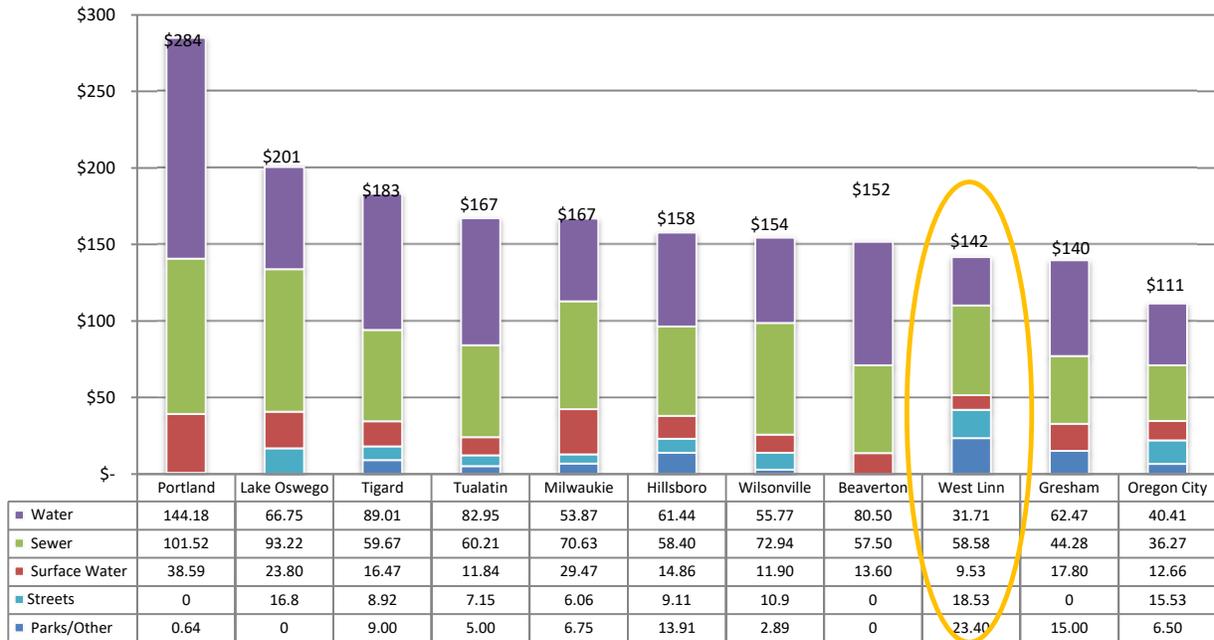
Monthly roadway maintenance fees to the principal residence of low income citizens as defined in this section shall be as follows: low income citizens shall be charged at one-half the regular rate. Any citizen currently receiving the reduced water service charge for low-income citizens shall automatically receive the reduced roadway maintenance fee. Principal residences occupied by a person(s) having an annual income(s) that does not exceed one hundred eighty-five percent (185%) of the most recently published federal poverty low income guidelines (as established by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).), are eligible for reduced roadway maintenance fees.

2.12. Park Maintenance Fee

[refer to Section 6.10 of the Parks Fee and Charges]

2.13. Fees for Utility Services

Comparing Fees on Monthly Utility Bills
(Based on a recent survey of typical single-family homes)



This above graph compares the typical (i.e. median) utility bill for the neighboring cities surrounding West Linn. As some cities bill monthly, some bill every two months, and some bill every three months, these amounts are converted to typical monthly amounts so they are comparable to West Linn. Also, cities increase different rates at different times during the year; therefore, this graph is simply a picture in time reflecting the rates at the time that the survey was conducted. And finally, cities have different typical water consumption amounts per household; so for the sake of this comparison, these rates are computed using an average 10ccfs of water used per month so as to be most comparable.

Typical City Services Bill (residential)	eff. January 1, 2025		eff. July 1, 2025		Increased 5.00%	
	proposed	median	proposed	median	proposed	median
Water Service Fee						
Base (includes up to 7ccf)	5%	1.51 \$ 31.71		\$ 31.71	5%	1.59 \$ 33.30
Sewer Service Fee						
Base fee to West Linn	5%	1.32 27.81		27.81	5%	1.39 29.20
Tri-City portion of sewer fee (est.)		29.30	5%	1.45 30.75	est.	30.75
Avg sewer per house		57.11		58.56		59.95
Surface Water Management Fee	5%	0.43 9.53		9.53	5%	0.48 10.01
Fees for Utility Services		<u>98.35</u>		<u>99.80</u>		<u>103.26</u>
Fees for Other City Services						
Street Maintenance Fee		17.65	5%	0.88 18.53		18.53
Parks Maintenance Fee		22.29	5%	1.11 23.40		23.40
Total City Services		<u>\$ 3.29 \$ 138.29</u>		<u>\$ 3.44 \$ 141.73</u>		<u>\$ 3.45 \$ 145.19</u>
Usage rate per 1ccf over 7ccf	5%	0.17 3.65		3.65	5%	0.18 3.83

3. Administrative Fees

3.1. City Facility Deposits

Deposits for the use of City facilities may be made via check/credit card to be cashed/charged immediately with any potential refund returned later at the applicable time.

If the City facility is left clean with no work required on behalf of City staff or contractor, the total amount of the deposit shall be refunded. If work is required by City staff or contractor, the actual costs as provided in the section above will be ascertained and subtracted from the deposit. If the deposit exceeds the costs, then any monies remaining shall be refunded; should costs exceed the deposit, the event organizer shall be billed for the difference. All refunds will be in compliance with Ordinance No. 1493, Section 7.870 and shall be made in no more than 30 days.

3.2. Special Events (permit)

	Fee
Filing fee	\$ 100

Deposit [see Section 3.1. above for deposit policy]

All special events must file for a special event permit. Barricade rental will be a pass through from the Public Works Department. City personnel costs will be charged based on services required using the methodology described in Section 1.3.

3.3. Overstreet Banner (permit)

	Fee
Filing fee	\$ 50

Note: all applicants must file for an Overstreet Banner permit and only City sponsored events may be advertised on a overstreet banner.

3.4. Business License/Home Occupation

	Business License Fees		Plus Home Occupation Fees	
	Annual fee [inside City]	Annual Fee (outside City)		
1 to 2 employees	\$ 71	\$ 95	Initial annual fee	\$ 154
3 to 5 employees	95	129	Annual renewal fee	\$ 39
6 to 10 employees	118	173		
over 10 employees	135	202		

Note: License fees will be prorated to 50% for licenses beginning after January 1st of the fiscal year.

Persons having a fixed place of business within the City of West Linn and who are subject to being licensed under the provisions of Sections 7.00 to 7.08 shall pay a business license fee.

Note: Non-profit organizations are required to obtain a license, but are exempt from the fees.

For an apartment house as defined in sections 7.000 to 7.080, with ten dwelling units or less, a business license fee of \$87 per year shall be assessed, and an additional amount of \$2.00 per dwelling unit shall be assessed for every dwelling unit in an apartment house in excess of ten (10).

Metro Business License versus City Business License or Both?:

Instead of getting separate business licenses within each Portland-area city that you conduct business in, you can get a single license from Metro to construct, alter and repair structures in 20 cities that have licensing requirements in the metropolitan area. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. The Metro license allows contractors or landscapers to operate in 20 cities surrounding Portland having licensing requirements in the metropolitan area, excluding Portland. Exception: if your principal place of business is inside the City of West Linn, the business is required to apply for a City of West Linn Business License in addition to the Metro License. For Metro applications, contact Metro at 503-797-1710 or visit their website at: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=24216> .

The City Council finds that certain trades, shops, businesses or callings are carried on in the City by persons from regular places of business and by persons from vehicles who have not regular places of business within the City; that persons with regular places of business in the City pay City ad valorem property taxes upon real and personal property which is used in and belongs to their business and that persons who do not have regular places of business in the City escape such ad valorem taxation.

Both receive the benefit of police and fire protection, public utilities and sidewalks, streetlights, health services and other public facilities and services of the City. Therefore, in order that each shall pay as nearly as may be not a discriminatory share, but a share in proportion to benefits received of the burden supporting such facilities and services of the City, such businesses not operating from regular places of business in the City shall pay one and one-half times the license fee previously designated herein for businesses operating from a fixed place of business within the City.

Maximum annual business license fee

Based on the criteria set forth in Section 6(d) of Resolution No. 94-42, no business shall be charged an annual business license fee greater than two hundred dollars (\$200).

Adult Businesses

The application fee for a permit to own, maintain, operate or conduct an adult business (Section 7.115(1) of the West Linn Municipal Code), shall be five hundred dollars (\$500) and non-refundable.

The application fee for a permit to entertain in, or be employed by any adult business (Section 7.115 (2) of the West Linn Municipal Code), shall be fifty dollars (\$50) and non-refundable.

	Application Fee
3.5. Liquor License	
Original application	\$ 100
Change in ownership or management	75
Renewal or temporary application	35

[These fees apply for applications of a liquor license per Section 7.715 of the WL Municipal Code.]

3.6. Dog License

Ordinance 1595 transfers dog licensing and fee collection over to Clackamas County effective 7/14/2010.

3.7. Public Record Requests

Every person has a right to inspect any public record of a public body in this state, except as otherwise provided by ORS 192. Please understand that the documents or records requested may not be immediately available for review and that an appointment to review the documents or records may be necessary. There may be a cost for the research time to retrieve the requested records and costs for duplication of requested documents. If research time is required, the requestor will be notified of the estimated cost prior to retrieving the documents or records. Prepayment for research time and copies may be required. Any documents or records made available for review may not be disassembled. Copies may be made by the requestor directly, through digital means, such as digital photography or a city supplied flash drive. Please note, the City will not create a new document in response to a records request.

1. Public record request must be in writing. Please use the following form to submit your request to the City Recorder via e-mail at cwl_records@westlinnoregon.gov, by fax at 503-650-9041, mail, or bring to 22500 Salamo Rd., West Linn, Oregon, 97068: <https://westlinnoregon.gov/citymanager/public-records-request-online-form>

2. For Police record requests, please contact the Police Department directly at <http://westlinnoregon.gov/police/police-report-request>.

3. The City shall respond to all requests as soon as practical and without unreasonable delay. Generally, responses will be made within five (5) business days.

4. If inspection of documents is preferred over copies, such inspection shall occur during normal business hours. An acceptable inspection time and place will be arranged between the requestor and the staff person. Space is provided for up to two persons to inspect records per request.

5. The City will submit a cost estimate to the requestor to provide the requested documents, including copying charges, research time (if required), and separating exempt from non-exempt materials.

6. If the estimated cost is \$35 or more, the City shall require a deposit for the full amount of the estimate before fulfilling the request. If the actual cost exceeds the estimate, the City will not release the documents until the fee is received in full.

Public Record Request services:

	Fee
Photocopying or PDF creation records service - first page up to 10 pages	Free
Photocopying or PDF creation records service - over 10 pages	See per page photocopying fees below
Records research fee:	Staff hourly wage, plus benefits (first 30 minutes free) \$100/hr. for incurred legal research costs \$20 and \$15 for each additional
City supplied flash drive (per event/meeting, and or documents)	
City Budget, City Audit, or City CIP document	Available on City's Finance Page & Printed Copies available for review at ACC, Library, & City Hall

3.8. Photocopying, Printing, PDF Creation, Scanning and Faxing Fees

	Per page fee
8.5" x 11" (per page charge)	\$ 0.25
8.5" x 14" (per page charge)	0.30
11" x 17" (per page charge)	0.35

3.9. Non-sufficient Funds (NSF) Charge

	Fee
Relating to returned payments for NSF (pursuant to West Linn Code Section 4.015 and 4.235)	\$ 25

3.10. Finance Charges

[refer interest rates and applicable fees under Section 2.4. Delinquent Utility Bill Accounts]

3.11. Municipal Court Fees and Charges

	Fee
Civil Compromise Fee	\$ 200
Bench Probation / Probation Violation Fee	100
Violation Compliance Citation ("Fix-It ticket")	35
Local DUII Conviction Fee	45
File Review Fee	25
Fee for fine payment agreements	20
Suspension Fee	15
Deferral Fees:	
Criminal Deferred Sentence	\$ 200
Seat-Belt Deferral Fee	Range \$75 to \$115
Safe Driving Deferral Fee (Students)	Range \$75 to \$440
Safe Driving Deferral Fee (Adults)	Range \$75 to \$440
Parking Fines	Range \$30 to \$440 (Includes disabled parking)

Fine schedule relating to infractions See separate conviction schedule of fines maintained by the Municipal Court Judge as summarized below pursuant to ORS 153:

Penalty class	Presumptive		Special		Minimum	Maximum		
	Fine	Fine	Zone	Fine				
Class A	\$	440	\$	875	\$	225	\$	2,000
Class B		265		525		135		1,000
Class C		165		325		85		500
Class D		115		225		65		250
Class E		100				100		100

Note: Special Zones include highway work, school, and safety

3.12 Administrative Appeal Fee

Appeal to Hearings Officer pursuant to WLMC 1.400 for all municipal code appeals without a designated appeal fee

Fee
\$ 400

3.13 Sidewalk Café Permit (Annual)

Annual permit for operation of outdoor café service within the City's ROW

\$ 122

4. GIS/Mapping Fees

4.1. Map Printouts	<u>Per Copy</u>
First five laser copies - 8.5" x 11", full color (A Size Letter)	\$ 0.25
Each laser copy thereafter - 8.5" x 11", full color (A Size Letter)	0.25
Up to 11"x17", full color or black and white (B Size Tabloid)	0.35
Over 11"x17", up to 24"x36", full color or black and white (C & D Sizes)	20.00
Over 24"x36" up to 36"x48", full color or black and white (E Size)	25.00
Over 36"x48" up to 50"x60" (two map sheets), full color or b&w (Oversized)	39.00

4.2. City Atlas Available on City website in digital format at no cost

<i>Road Maps:</i>	<u>Per Copy</u>
11x17 black & white OR color	\$ 0.35

4.3. Custom Request Maps

Approved hourly billing rate per Section 1.3. plus map printout fees, limited to staff availability

4.4. Large Format Copies	<u>Black & White</u>	<u>Color</u>
Wide Format Scan and print (36" maximum width)	\$ 20	\$ 34
Plus approved hourly billing rate per section 1.3		

4.5. Digital Data	<u>Per Section</u>	<u>Full City (15 sections)</u>
1999 Ortho-rectified Aerial Photography, Color or Black and White, 1-foot pixels	\$ 64	\$ 643

- Digital data may not be redistributed or resold.
- Other years of photography are not available for public distribution. Contact Metro DRC to purchase.
- Available in ESRI format.
- DXF conversion or non-standard requests: data cost plus staff time
- Some data layers are not available for public distribution due to licensing constraints and must be obtained through Metro's Data Resource Center or Clackamas County.
- All GIS digital data requests must go through the West Linn GIS Coordinator.
- A Release of Information Form must be filled out and signed prior to transfer of data.

4.6. GIS Digital Layers	<u>Per Layer</u>	<u>All City Layers</u>
GIS Digital Data Layers	\$ 34	\$ 322
Approved hourly billing rate per section 1.3 plus layer fees, limited to staff availability		
Includes asbuilt reconciliation for site development.		

5. Library Fees

5.1. Overdue items	<u>Per Day</u>	<u>Maximum</u>
Adult items	\$ 0.10	\$ 1.00
Children's items	0.10	1.00
Children's AV materials	0.10	1.00
Library of Things items	1.00	Cost of item
Physical Cultural Pass	5.00	Cost of pass
5.2. Media Storage	<u>Per Item</u>	
USB	\$ 3.00	
Blank CD/DVD	1.00	
5.3. Community Room	<u>Per Hour</u>	
Deposit	\$ 30.00	
5.4. Lost & Damaged	<u>Per Item</u>	
Item	Retail cost of item	
Miscellaneous missing part	\$ 1.00	
5.5. Photocopying, Printing, Scanning and Faxing Fees		
Black and White copying/printing		\$ 0.10 per page
Color copying/printing		0.25 per page
Faxing		0.25 per page
Scanning		No charge
3D printing	\$3 - \$15 per project, depending upon filament usage. For projects requiring more than 500 grams of materials, there will be an additional supply fee of \$5.	
Glowforge engraving	\$5 to \$10 per project, depending on whether we supply material	

6. Parks, Recreation, and Facility Fees

6.1. Picnic Shelter Rental Fees Per Time Block

Groups of 300+ or renting the Willamette Stage must utilize a Special Event permit.

Shelter	Capacity	Resident	Non-Resident
Marylhurst Heights Park Shelter A	Max 25	\$70	\$145
Marylhurst Heights Park Shelter B	Max 25	\$70	\$145
Sunset Park Shelter A	Max 25	\$70	\$145
Sunset Shelter B	Max 25	\$70	\$145
Willamette Park Gazebo	Max 25	\$70	\$145
Tanner Creek Park Shelter	Max 50	\$85	\$165
Hammerle Park Shelter	Max 50	\$85	\$165
Mary S. Young Park Shelter	Max 50	\$85	\$165
Willamette Park Main Shelter	Max 100	\$110	\$210
Hammerle Park Shelter	Max 100	\$110	\$210
Mary S. Young Park Shelter	Max 100	\$110	\$210

6.2. Special Event Fee

Application Fee \$150 (also located under Section 3.2)

Size of Event	Application Fee	
	Non-Profit	Commercial/ Private
Event Size 1-199	\$155	\$255
Event Size 200-499	205	355
Event Size 500-999	305	505
Event Size 1000 - 1999	505	855
Event Size 2000-4999	855	1,255

Special Event Fee applies when use of infrastructure facilities, right of ways, streets, open space, trails, or group areas necessary for event.

Facility rental fee will be in addition to the Special Event Fee

City personnel costs will be charged based on services required using the methodology described in Section 1.3.

6.3. Athletic Field Rental Permits

	Field Permit Only per hour
Grass Field	\$20
Artificial Turf	40

6.4. Tournament & Camp Fees

Adult & Youth Sports Camp Fees per day

West Linn Resident or Non-Profit	\$30 hour per field
Non-Resident or For Profit	65 hour per field

Adult & Youth Sports Tournament Fees per day

Fee to offset incurred costs for hosting tournaments (utilities, supplies and materials, and staff time)

1 - 5 teams in tournament	\$300
6 - 10 teams in tournament	500
11 - 20 teams in tournament	750
20+ teams in tournament	1,000

6.5. Adult Community Center Rental Fees

	Charges per hour		
	*Non-Profit	Residents	Non-Residents
Facility Rental (All rooms except kitchen)	NA	\$300	\$375
Grand Fir	\$50	100	125
Cedar Room (Dining Room)	45	90	115
Oak Room (back left)	30	60	75
Hemlock Room (front classroom)	20	40	50
Maple Room (back classroom)	20	40	50
Alcohol Fee	\$75 - Flat	\$75 - Flat	\$75 - Flat

* Non-Profit Meetings are 2 hours maximum. Maximum number of attendees must be kept under 100. No amplified music allowed.
 [See also Section 3.1 for facility deposit information.]

6.6. Sunset Fire Hall Community Room Fees

	Charges per hour		
	*Non-Profit & WL Affiliates	Residents	Non-Residents
Up to 49 people	\$30	\$75	\$95
50 to 99 people	\$40	95	120
Alcohol Fee		\$75 - Flat	\$75 - Flat

*West Linn Non-Profit and Affiliates Meetings maximum 2 hours per reservation. Maximum number of attendees is 100.
 No amplified music allowed.
 [See also Section 3.1 for facility deposit information.]

6.7. Robinwood Station Room Fees

***Robinwood Station is leased to the Friends of Robinwood Station who manages the reservations and fees.**

6.8. Street Trees

New Subdivisions/Existing Subdivisions:

The developer shall pay the cost of street trees at the time public improvements are bonded, prior to final plat approval. The fee shall be based on the number of trees required multiplied by \$400(the cost per tree). This fee includes the purchase cost of the tree, labor and equipment for original placement, regular maintenance following the City’s schedule for two years, and a two-year replacement warranty.

Existing Subdivisions/Older Established Areas:

Landowners in existing subdivisions or other established areas might choose to initiate a beautification or replacement project by planting street trees. In which case, fees will be as listed above or based on all or any combination of: permit and inspection fees, the actual cost of the tree, the actual cost of original placement, the projected cost of maintenance, and replacement warranty.

These fees shall be set and agreed upon prior to a permit being issued.

6.9. Park Maintenance Fee

Increased 5.00%

	Effective July 1, 2023		Effective July 1, 2024		Effective July 1, 2025	
	Charge per month		Charge per month		Charge per month	
	Residential	Commercial	Residential	Commercial	Residential	Commercial
Single family residence	\$ 21.23	n/a	\$ 22.29	n/a	\$ 23.40	n/a
Multi-family residence	20.16	n/a	21.17	n/a	22.23	n/a

For the park maintenance fee, a residence is defined by the presence of any size water meter. The system and structure of fees for parks maintenance can be controlled through the vacancy of a residence and turning off water service to the vacant residence. The City Council determines that the park maintenance fees imposed upon residences are not taxes subject to the property tax limitations of Article XI, section 11(b) of the Oregon Constitution.

A multi-family housing unit is defined as a residential structure with multiple dwelling units in the same building with that share one water meter. Because multi-family housing units cannot define vacancy based on the absence of water service, a multi-family rate can apply to eligible multi-family housing units. The multi-family housing rate is discounted based on the City-wide vacancy rate as determined by the City of West Linn Planning Department in effect for a one-year period as of July 1 of each fiscal year.

Monthly park maintenance fees to the principal residence of low income citizens as defined in this section shall be as follows: low income citizens shall be charged at one-half the regular rate. Any citizen currently receiving the reduced water service charge for low-income citizens shall automatically receive the reduced roadway maintenance fee. Principal residences occupied by a person(s) having an annual income(s) that does not exceed one hundred eighty-five percent (185%) of the most recently published federal poverty low income guidelines (as established by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).), are eligible for reduced park maintenance fees.

6.10. Commercial Filming

	<u>Fee</u>
Film/video one day fee - no park closure	\$100
Film/video one day fee - Park Closure	\$ 1,000 or more depending on park/area to be utilized or closed.
Still Photography per day	\$75

Tree Removal Permit Fee

Requires a change to Municipal Code prior to being enacted.

	<u>Fee</u>	
Tier 1	25	When Permit approval processed in office
Tier 2	65	When Permit approval requires site visit to address
Tier 3	185	When Permit approval requires site visit to address and mailing of notifications
Appeal Fee	\$400	Applies to Administrative appeals pursuant to WLMC 1.400 (ties to Section 3.12 under Administration section)

6.11. Tree Review

	<u>Fee</u>
	\$150
Associated with residential permit - \$116 flat fee	

Changed Special Event application and Banner application fees to \$150 under Admin Section

7. Police Fees

7.1. Police Public Record Request Services

	<u>Fee</u>
Photocopy or PDF creation each <u>police case report or incident</u> - first page up to ten pages per case/incident	\$ 15
Photocopy or PDF creation each <u>police case report or incident</u> - over ten pages per case/incident	See section 7.2 for applicable fee
Photocopy or PDF creation of other police documents (not related to case/incident)- first page up to ten pages	Free
Photocopying or PDF creation of police documents (not related to case/incident) - over ten pages	See per page photocopying fees below
Digital files produced to USB flash drive/CD duplication for each <u>police case report or incident</u>	\$20 and \$15 for each additional
Records Research, preparation, redaction and review fees	Staff hourly wage, plus benefits (first 30 minutes free) \$100/hr. for legal review/research

7.2. Photocopying, Printing, Scanning and Faxing Fees

	<u>Per page fee</u>
8.5" x 11" (per page charge)	\$ 0.25
8.5" x 14" (per page charge)	0.30
11" x 17" (per page charge)	0.35

7.3. Release of Impounded Vehicles

	<u>Per Vehicle</u>
Administrative Cost on tows resulting from violations, hazards/community care taking	\$ 200

Whereas, state law and West Linn municipal codes authorize police officers to impound an abandoned vehicle or a vehicle that is disabled, abandoned, parked or left standing unattended on a road or highway right of way and creates a hazard or obstruction to traffic or is unlawfully parked; and whereas, ORS 809.716 and 809.720 were adopted by the state legislature in 1997 to promote public safety and financial responsibility by authorizing police officers to impound vehicles, without prior notice for the following offenses; Driving an uninsured vehicle in violation of ORS 806.010, Driving while suspended or revoked in violation of ORS 811.175 or 811.182, Driving while under the influence of intoxicants in violation of ORS 813.010; Operating without driving privileges or in violation of license restriction in violation of ORS 807.010; and whereas, such state statutes allow payment to a police agency of an administrative fee determined by the agency to be sufficient to recover its actual administrative cost for the impoundment.

Criminal vehicle impound fees apply to DUII, attempts to elude police, reckless driving, driving while felony suspended, hit and run felony.

7.4. Security Alarm Permits

	<u>Fee</u>
Annual new permit	\$ 40
Annual renewal fee	40
Failure to obtain a permit or delinquent renewal	25

7.5. False Alarm System Fees

	<u>Fee</u>
First false alarm	\$ 25
Second false alarm	50
Third false alarm	75
Fourth false alarm	100
Fifth false alarm and additional false alarm(s)	150
False alarm late fee	25
Alarm monitoring & installation business non-compliance fee	25

* First false alarm fee waived if citizen completes online alarm school

Any alarm system, as defined in WLMC 7.230(3) and WLMC 7.230(5), that has false alarm(s) within any permit year are subject to fees or actions.

8. Public Works Fees

8.1. Public Works Construction Permit	<u>Fee/Deposit</u>
Flat permit fee	\$ 116
Construction services deposit	500 Pursuant to City Code Section 3.255
Required deposit if street is cut	\$500 plus \$50 per lineal foot of street cut
8.2. Public Improvement Permit	<u>Fee/Deposit</u>
Flat permit fee	\$ 116
Construction services deposit	6% of estimated construction costs
Pursuant to City Code Section 3.255 and West Linn Community Development Code 91.010(2)	
8.3. Blasting Permits	<u>Fee</u>
Blasting permit fee	\$ 1,932
	Pursuant to City Code Section 5.785
	Plus \$2.00 per cubic yard of material
8.4. Erosion Control	<u>Fee</u>
Erosion Control Permit Application and Inspection Fees - under 1/2 Acre (\$175 - Application and \$350 - first year annual fee)	\$ 578
Erosion Control Application Fees - over 1/2 Acre but under 1 acre (\$440 - Application and \$580 - first year annual fee)	\$ 1,124
Erosion Control Application Fees - over 1 acre (Over 5 acres - DEQ 1200C also is required) (\$940 - Application and \$1,060 - first year annual fee. Every 1 acre or portion there of over 5 acres inspection fees increase \$95)	\$ 2,095
One charge per plan review/inspection; additional charge for each inspection.	
8.5. Building Site Cleanup Deposits	<u>Deposit</u>
Building site cleanup deposit	\$ 350 Pursuant to City Code Section 8.11C
8.6. Vacations	<u>Fee</u>
Easement	\$ 1,932
8.7. Building Relocation Through Public Right-Of-Way (ROW)	<u>Fee</u>
Flat permit fee	\$ 1,932
Pursuant to Section 8.255 of the West Linn Municipal Code	
8.8. Asbuilts	<u>Fee</u>
Reconciliation of development project asbuilts if not provided in ESRI file format	Hourly billing rate per Section 1.3
8.9. Right-of-Way Use Permits	<u>Fee</u>
Flat permit fee	\$ 116
Small Cell Permit Application	\$ 500 up to 5 sites, \$100 per additional attachment
8.10. Third party development review services	<u>Fee</u>
Pass through charge from third party to developer	Third party fees plus 15% to cover City administrative costs

Reconciliation of development project asbuilts per approved hourly billing rate in Section 1.3 if not provided

8.11. Grading Plan Review Fee

	Fee for first 10,000 Cubic Yards	Plus fee for each additional CY over 10,000 Cubic Yards
Cubic Yards (CY):		
0 to 50	No fee, no permit required	n/a
51 to 100	\$ 58	n/a
101 to 1,000	89 (for 1st 100 CY)	n/a
1,001 to 10,000	116 (for 1st 1,000 CY)	n/a
10,001 to 100,000	116 (for 1st 10,000 CY)	\$58 (each additional 10,000 CY)
100,001 to 200,000	620 (for 1st 100,000 CY)	27 (each additional 10,000 CY)
Over 200,000	924 (for 1st 200,000 CY)	17 (each additional 10,000 CY)

8.12. Grading Permit Fee

	Fee for first 1,000 of Cubic Yards	Plus fee for each additional CY over 1,000 (or fraction thereof)
Cubic Yards (CY):		
0 to 50	No fee, no permit required	n/a
51 to 100	\$ 89	n/a
101 to 1,000	89 (for 1st 100 CY)	\$ 42 (each additional 100 CY)
1,001 to 10,000	446 (for 1st 1,000 CY)	37 (each additional 1,000 CY)
10,001 to 100,000	751 (for 1st 10,000 CY)	158 (each additional 10,000 CY)
Over 100,000	2,111 (for 1st 100,000 CY)	84 (each additional 10,000 CY)

8.13. Public Works Review and Inspection

	<u>Fee</u>
General review associated with residential permit	\$ 609
All others, see Public Works Department fee schedule.	
Inspection fees per West Linn Hourly Fee Schedule, see Section 1.3	
Stormwater Management Facility Review and Inspection	\$ 263

8.14. Dye Test

	<u>Fee</u>
Residential	\$ 95
Commercial	Charged an hourly rate (see Section 1.3. for hourly rate information).

8.15 Utility Right-Of-Way Use Fees (Effective August 13, 2025)

	<u>Fee</u>
Right-Of-Way Utility Provider Registration (Annual)	\$ 50
Right-Of-Way Utility License (5 Year License)	\$ 250

Utility Providers

Electric
 Natural Gas
 Communications
 Water
 Stormwater
 Wastewater

Right-Of-Way Usage Fee

5% gross revenue
 5% gross revenue
 7% gross revenue
 0% gross revenue
 0% gross revenue
 0% gross revenue

Utility Operators

Electric
 Natural Gas
 Cable

Right-Of-Way Usage Fee

5% gross revenue
 5% gross revenue
 5% gross revenue per the cable franchise agreement and Cable Act

Communications	7% gross revenue, provided that Operators whose only facilities in the right-of-way are Small Wireless Facilities as defined in 47 C.F.R. 1.6002 mounted on structures within the right-of-way, and with no facilities strung between such structures or otherwise within, under, or above the right-of-way, shall pay an attachment fee of \$270 per attachment.
Water	0% gross revenue
Stormwater	0% gross revenue
Wastewater	0% gross revenue
Utility Operators With No Revenue From Customers In The City	\$ 2.75 per linear foot or \$5,629 per year, whichever is greater

Gross revenue means any revenue received or derived from all sources from utility facilities and/or utility services within the city limits by the utility; including revenue from the use, rental or lease of operating facilities of the utility and from the provision of services by the utility. There shall be no deduction for the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery cost, taxes or other expense. Gross revenue does not include revenue paid directly by the United States of America or its agencies.

8.16. Fees in Lieu of Construction

Transportation Frontage Improvements

<u>Fee</u>
\$425/Linear Foot
Based on historical costs to construct facility per linear foot of frontage.

9. Planning Fees

9.1. Addressing	Fee
Change of existing address	\$ 200
Assign single-family	\$50 + \$10 per lot
Assign multi-family less than 50 units	\$50 + \$10 per unit
Assign multi-family with 50+ units	\$50 + \$5 per unit
Non-Residential (suite assignment)	\$50 for address + \$25 per suite
9.2. Annexation	Fee
(excludes election costs)	\$8,000 base fee + \$1,000 per acre above 1.0 acre
9.3. Appeal	Fee
Appeal to City Council	\$ 400
Expedited land division to Referee per ORS 197.375	300
Appeal fee through Neighborhood Association	no charge
9.4. Comprehensive Plan/Zoning Amendments	Deposit
Map Amendment	\$ 4,500
Plan/Code Text Amendment	4,500
9.5. Code Interpretation	Fee
	\$ 850
9.6. Conditional Use Permit	Deposit/Fee
Deposit	\$ 4,500
Inspection Fee	500
9.7. Design Review	Fee
Class I	\$ 2,800
	Deposit
Class II	\$ 4,500
Inspection Fee	500
9.8. Determination of Unlisted Use	Fee
	\$ 850
9.9. Enlarge/Alter Non-conforming Use/ Structure	Fee
Without Public Hearing	\$ 1,200
With Public Hearing	3,300

9.10. Environmental Overlay Zones

	<u>Fee</u>
Dock Approval	\$ 3,000
Water Resource Area Permit	2,850
Floodplain Management Area Permit	2,850
Willamette/Tualatin River Greenway Permit	2,850
Combination of 2 Permits	4,275
Combination of 3 Permits	5,700

9.11. Extensions of Approval

	<u>Fee</u>
Historic Review Board Decision	
Residential	\$ 100
Commercial	500
Planning Director Decision	1,760
Planning Commission Decision	3,700

9.12. Historic Resources

	<u>Fee</u>
Residential	
Class I or II Design Review - Alterations/Additions	\$ 100
Class II Design Review - New Construction	1,500
Commercial	
Class I Commercial Design Review - Alterations/Additions	250
Class II Commercial Design Review - Alterations/Additions	500
Class II Commercial Design Review - New Construction	4,500 (deposit)
Demolition Permit	4,500
Relocation Permit	1,500
Landmark or District Designation	no charge
Removal of Historic Resource Designation	4,500

9.13. Land Division	Fee	
Expedited Land Division	\$ 4,900	
Minor Partition	4,400	
Property Line Adjustment (includes plat review fee)	1,200	
Final Plat Review		
Minor Partition	1,500	
Subdivision	2,000	
	Deposit	
Subdivision	\$ 4,500	
Planned Unit Development (PUD)	4,500	
Subdivision/PUD Inspection Fee	500	(fee)

9.14. Modification of Approval	Fee	
Historic Review Board Decision		
Alterations/Additions	\$ 100	
New Construction	500	
Planning Director Decision	1,400	
Planning Commission Decision	3,700	

9.15. Pre-Application Conference	Fee	
Level I (Planning review only)	\$ 420	
Level II (City-wide departmental review)	1,200	
Historic Review	no charge	

9.16. Sign Review	Fee	
Face change	\$ 50	
Temporary	50	
Permanent	250	

9.17. Street Name Change	Fee	
	\$ 940	

9.18. Temporary Use Permit	Fee	
Planning Director Decision	\$ 330	
Planning Commission Decision	3,500	
Special Event	no charge	

9.19. Vacations	Fee	
Street	\$ 6,000	
Tree Easement	1,000	

9.20. Variance	Fee	
Class I	\$ 1,000	
Class II	3,450	

After the initial charge for the first variance, subsequent variances will be charged one-half the fee when processed as one application.

9.21. Willamette Falls Drive Commercial Design District	<u>Fee</u>
Class I Design Review to Change Paint Color	No Charge
9.22. Zoning Verification	<u>Fee</u>
Information Requests	\$ 150
Land Use Compatibility Statements	150
9.23. Development Agreement	<u>Deposit</u>
	\$ 2,500
9.24. Building Permit Review	<u>Fee</u>
Residential	\$ 150
Commercial	300
9.25. Planning Consultation	<u>Fee</u>
	\$ 150

***Deposit based applications will be billed monthly for time and materials above the initial deposit.**

10. Building Fees

10.1. Residential Structural, Commercial Structural, Commercial Mechanical, and Solar (Non-Prescriptive Path System) Permit Fees

	<u>Minimum base fee</u>	<u>Plus each additional \$1K of BV</u>
Building Valuation (BV):		
\$0 up to \$2,000	\$ 176	\$ -
\$2,001 up to \$25,000	176	24
\$25,001 up to \$50,000	728	19
\$50,001 up to \$100,000	1,203	12
Over \$100,000	1,803	9

These fees are based on building valuation (BV) and the methodology is determined by Oregon State Building Codes. When applicable, structural permits use valuation as determined by ICC Valuation Table current as of April 1 of each year, as per OAR 918-050-0100.

\$176 for the first \$2,000 plus \$24 for each additional \$1,000 or fraction thereof, to and including \$25,000
 \$728 for the first \$25,000 plus \$19 for each additional \$1,000 or fraction thereof, to and including \$50,000
 \$1,203 for the first \$50,000 plus \$12 for each additional \$1,000 or fraction thereof, to and including \$100,000
 \$1,803 for the first \$100,000 plus \$9 for each additional \$1,000 or fraction thereof

Structural Minimum Permit Fee \$ 176

10.2. Plan Reviews

	<u>Fee</u>	
Residential Structural	65% of permit fee	
Commercial Structural	75% of permit fee	
Fire, Life, and Safety	45% of permit fee (Commercial only/when applicable)	
Additional Plan Review (when applicable)	\$176/hour	(Hourly review rate is the same for all disciplines)
Commercial Mechanical Plan Review	40% of permit fee	
Commercial Plumbing Plan Review	40% of permit fee	
Residential Plumbing or Mechanical Review	40% of permit fee	
Seismic Surcharge	1% of permit fee	(Plan Review on Essential Structures)
Development Services Administration Fee	.25% of project valuation	

Residential and Commercial plan review fee includes two rounds of review, additional rounds of review will be charged at an hourly rate. Revisions submitted after plan approval will be charged additional review at hourly rate.

The development services fee is charged on all projects that require plan review. This fee goes towards facilitating, processing, management of workflow, and providing feedback and responses to questions associated with permits.

10.3. Deferred Submittals Plan Review

	<u>Fee</u>
65% of the building permit fee calculated using the value of the deferred portion with a \$250 minimum	\$ 284

10.4. Phased Plan Review

\$388 minimum phasing (application) fee plus 10% of the TOTAL project building permit fee not to exceed \$1,500.00 per phase

10.5. Permit Reinstatement Fee

	<u>Fee</u>
	\$ 176

10.6. Permit Refund Processing Fees

	<u>Fee</u>
Permit retention fees	\$ 86 varies dependent on work completed

10.7. Investigation Fee

	<u>Fee</u>
Hourly Rate	\$ 176

Minimum two hours
 Investigation Fees - may include supervision, overhead, equipment, and/or rate/wage of the employee(s) involved. Applicable to all disciplines and is surchargeable as inspection.

10.8.	Inspection Fees - All Disciplines	<u>Fee</u>	
	Reinspection Fee	\$176/each	
	Inspection outside normal business hours (Minimum two hours)	265/hour	
	Inspection for which no fee is indicated	176/hour	
	Each additional inspection	176/each	
10.9.	Demolition (complete demolition), not subject to State Surcharge	<u>Fee</u>	
	Residential	\$ 176	
	Commercial		Based on valuation. Apply contract price to building permit table.
10.10.	Consultation	<u>Fee</u>	
	Fee	\$176/hour	
10.11.	Residential Fire Suppression - Standalone System, fee includes plan review (See Plumbing Fee section for Continuous Loop/Multipurpose System)	<u>Fee</u>	
	0 to 2,000	\$ 176	
	2,001 to 3,600	221	
	3,601 to 7,200	265	
	Over 7,200	353	
	Commercial Fire Suppression - Alarms/Sprinklers		Based on the valuation of the work, applied to the Structural Permit Fee schedule 10.1
10.12.	Occupancy Certificate	<u>Fee</u>	
	Commercial	\$ 530	(Temporary certificate of occupancy)
	Residential	530	(Temporary certificate of occupancy)
10.13.	Plumbing Permit Fees	<u>Fee</u>	
	New 1 & 2 Family Dwelling – includes one kitchen, first 100 feet each of site utilities, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.		
	Half bath counted as whole		
	SFR (1) Bath One Kitchen	\$ 692	
	SFR (2) Bath One Kitchen	918	
	SFR (3) Bath One Kitchen	1,119	
	Each additional bathroom > 3 or kitchen > 1	121	
	Each additional 100 ft or fraction of site utilities - water, sewer, storm (which includes rain, footing, trench, and leach)		
	First 100 ft included in bathroom/kitchen fee		
10.14.	Commercial Medical Gas	See Structural Valuation Table	
	Fee based on installation costs and system equipment, including but not limited to inlets, outlets, fixtures and appliances.		
10.15.	Site Utility Fees - Commercial and Non-New Residential	<u>Fee</u>	
	Catch basin/area drain	\$ 32	
	Trench drain	32	
	Manholes	32	
	Sanitary sewer - First 100 feet or less	134	
	Sanitary sewer - Each additional 100 feet or fraction	134	
	Storm sewer - First 100 feet or less	134	
	Storm sewer - Each additional 100 feet or fraction	134	
	Water services - First 100 feet or less	134	
	Water services - Each additional 100 feet or fraction	134	
	MFD Park - site utility connection per space	134	(see 10.19)

10.16.	Fixture or Item - Commercial and Residential	Fee
	Absorption valve	\$ 32
	Back flow preventer (irrigation)	32
	Backwater valve	32
	Basins/lavatory	32
	Clothes washer	32
	Dishwasher	32
	Drinking fountain(s)	32
	Ejectors/sump	32
	Expansion tank	32
	Fixture/sewer cap	32
	Floor drains/floor sinks/hub	32
	Garbage disposal	32
	Hose bib	32
	Ice maker	32
	Interceptor/grease trap	32
	Primer(s)	32
	Roof drain (commercial)	32
	Sink(s), basin(s), lav(s)	32
	Stormwater retention/detention tank facility	32
	Swimming Pool Piping	32
	Tubs/shower/shower pan	32
	Urinal	32
	Water closet	32
	Water heater	32
	Interior Repipe Water Piping/retrofit water supply (Per each individual floor containing plumbing)	122
	Alternate potable water heating system	122
	Other Plumbing Fixture	32
	Plumbing Minimum permit fee	176

10.17.	Mechanical Permit Fees - Residential	Fee
	Duct Work - no appliance/ fixture	\$ 34
	Air Conditioning	44
	Air handling unit of up to 10,000 cfm	44
	Air handling unit 10,001 cfm and over	44
	Appliance of piece of equipment regulated by code but not classified in other appliance categories	34
	Attic/ crawl space fans	34
	Chimney/ liner/ flue/ vent	34
	Evaporative cooler other than portable	34
	Floor furnace, including vent	55
	Furnace - greater than 100,000 BTU	55
	Furnace - up to 100,000 BTU	55
	Furnace/burner including duct work/vent/liner	55
	Flue vent for water heater or gas fireplace	34
	Hood served by mechanical exhaust, including ducts for hood	34
	Mini split system	44
	Heat Pumps	44
	Suspended heater, recessed wall heater, or floor mounted unit heater	44
	Appliance Vent installation, relocation or replacement not included in an appliance permit	34
	Clothes Dryer Exhaust	34
	Range hood/other kitchen equipment	34
	Ventilation fan connected to single duct	34
	Gas Fuel Piping (4 outlets)	16
	Gas Fuel Piping (each above 4)	16
	Oil tank/gas diesel generators	55
	Pool or spa heater, kiln	34
	Decorative Fireplace (manufactured)	55
	Gas or wood fireplace/ Insert	55
	Wood Stove/ Pellet Stove	55

10.17.	Mechanical Permit Fees - Residential (continued)	Fee
	Gas clothes dryer	\$ 34
	Other fuel appliance	34
	Other environment exhaust/ ventilation	34
	Other heating/cooling	34
	Ventilation system not a portion of heating or air-conditioning system authorized by permit	34
	Repair, alteration, or addition to mechanical appliance, including installation or relocation of controls	34
	Installation or relocation domestic /type incinerator	34
	Water Heater	34
	Minimum mechanical permit fee	176
	Commercial Mechanical Fees	See section 10.1

10.18.	Solar Permit Fee	Fee
	Prescriptive Path System (includes Plan Review)	\$ 262
	Non-prescriptive installation	See section 10.1
	<i>(Fee as per structural permit fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. Solar electrical equipment including collector panels and inverters shall be excluded from the structural permit valuation.)</i>	

Cancelled Prescriptive Solar Permits will be subject to permit fee retention for any work already completed by the City of West Linn.¹

10.19.	Manufactured Dwelling Placement Fee *	Fee
	State (Cabana) Fee	\$ 520
		30
	<i>* Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing - may require separate permits (see site utility fees above). All decks, carports, garages, porches, and patios are based on valuation and may also require separate permits.</i>	

-- See Structural schedule by valuation for non-dwelling modular placements

10.20.	Manufactured Dwelling/RV parks - Area Development Permit (ADP)
	The Area Development Permit fee to be calculated based on the valuations shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp – and applying the valuation amount to Table 1 as referenced for each.

11. Solid Waste - West Linn Refuse and Recycling

Rates as of July 1, 2025 - Charged Directly by WL Refuse and Recycling

11.1 Residential Service (recycling and yard debris included in rate):

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
21-gallon cart weekly curbside	\$ 31.64	Residential
21-gallon cart weekly w/in 50' of road	37.03	Residential
35-gallon cart weekly curbside	37.70	Residential
35-gallon cart weekly w/in 50' of road	44.15	Residential
35-gallon cart - On Call		
35-gallon cart monthly curbside	18.88	Residential
35-gallon cart monthly w/in 50' of road	22.09	Residential
65-gallon cart weekly curbside	60.38	Residential
65-gallon cart weekly w/in 50' of road	70.64	Residential
95-gallon cart weekly curbside	66.40	Residential
95-gallon cart weekly w/in 50' of road	77.68	Residential
Yard Debris only weekly curbside	8.50	Residential
Additional Yard Debris weekly curbside	8.50	Residential

11.2 Commercial Service:

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
35-gallon cart weekly curbside	\$ 37.70	Commercial
35-gallon cart weekly w/in 50' of road	44.15	Commercial
65-gallon cart weekly curbside	60.38	Commercial
65-gallon cart weekly w/in 50' of road	70.64	Commercial
95-gallon cart weekly curbside	66.40	Commercial
95-gallon cart weekly w/in 50' of road	77.68	Commercial
Yard Debris only weekly curbside	8.50	Commercial
Additional Yard Debris weekly curbside	8.50	Commercial

11.3 Extra Hauling:

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
35-gallon cart worth	\$ 12.57	Residential
1-bag worth (garbage or yard debris)	5.00	Residential
1-yard worth (garbage)	32.00	Commercial
Return Trip Fee	9.00	

11.4 Mobile Home Courts and Apartments (yard debris service is not included in this rate):

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
21-gallon cart weekly curbside	\$ 23.41	Residential
21-gallon cart weekly w/in 50' of road	26.75	Residential
35-gallon cart weekly curbside	27.90	Residential
35-gallon cart weekly w/in 50' of road	32.65	Residential
65-gallon cart weekly curbside	44.67	Residential
65-gallon cart weekly w/in 50' of road	52.25	Residential
95-gallon cart weekly curbside	49.16	Residential
95-gallon cart weekly w/in 50' of road	57.46	Residential

11.5 Container Service - Loose:

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
1-yard picked up 1x/week	\$ 148.91	Commercial
1.5-yard picked up 1x/week	227.45	Commercial
2-yard picked up 1x/week	272.93	Commercial
3-yard picked up 1x/week	409.39	Commercial
4-yard picked up 1x/week	545.88	Commercial
6-yard picked up 1x/week	900.71	Commercial
Additional 1-yard picked up 1x/week	163.78	Commercial
Additional 1.5-yard picked up 1x/week	250.18	Commercial
Additional 2-yard picked up 1x/week	300.26	Commercial
Additional 3-yard picked up 1x/week	450.35	Commercial
Additional 4-yard picked up 1x/week	600.48	Commercial
Additional 6-yard picked up 1x/week	990.73	Commercial

**Note: Compacted container rates shall be 2.5 times the loose rate*
 Source Separated Food Waste: 95% of Commercial Rates

11.6 Cleanup Containers:

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>
3-yard container	\$ 134.21	Commercial
4-yard container	168.35	Commercial

**Note: Price is per dump*

11.7 Additional Recycling (Recycle Plus)

<u>Service Type</u>	<u>Current Rate</u>
Monthly Charge	\$ 2.68
20-gallon pickup	9.93
20-gallon non-curb w/in 150' of road	12.55
20-gallon non-curb greater than 150' of road	13.95

**Note: Price is per pickup*

Monthly Collection Rate Adjustment Methodology

The monthly Collection Rate shall be adjusted upward or downward to reflect eighty percent (80%) of the change in the All Items in WEST - Size Class B/C, all urban; Consumer Price Index All Consumers; Series ID

* See West Linn Refuse & Recycling Franchise Agreement (Section 7.3) for additional information.

**12. Solid Waste - Keller Drop Box dba Allied Waste Services/Republic Services
Rates as of July 1, 2024 - Charged Directly by Allied Waste Services/Republic Services**

12.1 Drop Box Services

<u>Size</u>	<u>Commodity</u>	<u>Delivery</u>	<u>Haul</u>	<u>Rent</u>
10 yd	Concrete	\$ 41.47	\$ 183.00	\$105.24/month or \$10.52/day
10 yd	Concrete w/ Rebar	41.47	183.00	105.24/month or 10.52/day
10 yd	Dirt	41.47	183.00	105.24/month or 10.52/day
10 yd	Sod	41.47	183.00	105.24/month or 10.52/day
20 yd	Yard Debris	41.47	183.00	105.24/month or 10.52/day
30 yd	Yard Debris	41.47	210.46	105.24/month or 10.52/day
40 yd	Yard Debris	41.47	239.45	105.24/month or 10.52/day
20 yd	Wood	41.47	183.00	105.24/month or 10.52/day
30 yd	Wood	41.47	210.46	105.24/month or 10.52/day
40 yd	Wood	41.47	239.45	105.24/month or 10.52/day
20 yd	Trash/Mixed/C&D	41.47	183.00	105.24/month or 10.52/day
30 yd	Trash/Mixed/C&D	41.47	210.46	105.24/month or 10.52/day
40 yd	Trash/Mixed/C&D	41.47	239.45	105.24/month or 10.52/day

12.2 Compactor Services

<u>Compactor</u>	<u>Haul</u>
20 Yard	\$ 207.79
30 Yard	281.35
40 Yard	317.54

Monthly Collection Rate Adjustment Methodology

The monthly Collection Rate shall be adjusted in alignment with the most recently concluded calendar year of the U.S Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers: Water and Sewer and Trash Collection Services in U.S City Average (CUSR0000SEHG).

* See Keller Drop Box dba Allied Waste Services/Republic Services Franchise Agreement (Section 7.3) for additional information.

* All commodities hauled at same rate depending on box size. Disposal not included and may vary based on disposal site. Any weight over 10 tons will be charged a fee, equal to 1.5 times the per ton rate for disposal. Excessive haul time, 1 truck and 1 driver is \$97.31 per hour.

13. Systems Development Charges (SDCs)

City SDCs Increased
for ENR CCI Index at
2.780%

13.1. General SDC Information

West Linn SDC fees shall be indexed for inflation annually using the Engineering News – Record Construction Cost Index (Seattle) for the most recent 12-month period per Code Section 4.415(3).

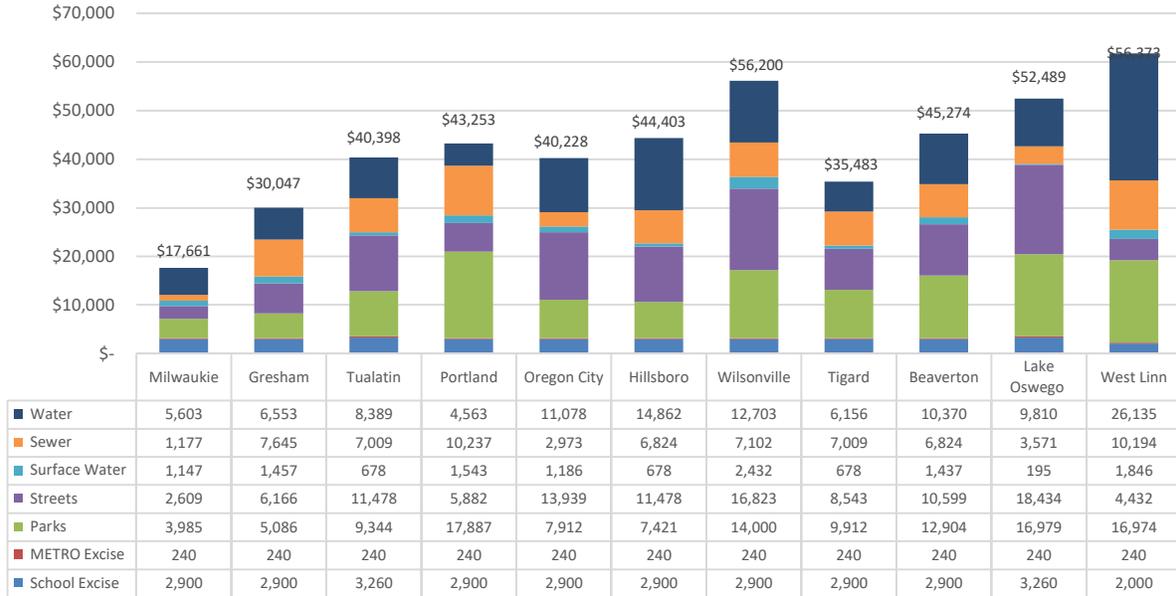
Below is a summary table of all SDC charges for a Single Family Dwelling (effective July 1, 2025):

<u>Per Single Family Dwelling:</u>	Reimbursement	Improvement	Administrative	Total
Street SDC	\$ 2,089	\$ 221	\$ 141	\$ 2,452
Bike/Ped SDC	1,955	25	-	1,980
Water SDC	1,495	17,812	501	19,808
Surface Water SDC	1,351	405	90	1,846
Parks SDC	-	16,529	445	16,974
Sewer SDC	165	869	60	1,094
	1,041	4,062	194	5,297
Sub-total, SDCs to City	<u>\$ 7,055</u>	<u>\$ 35,861</u>	<u>\$ 1,237</u>	<u>\$ 44,154</u>
Plus Water SDC collected for South Fork Water Board (updated effective January 1, 2025)				6,327
Plus Sewer SDC collected for Tri-City Service District (proposed)				9,100
Plus Excise Tax collected for Metro on valuations over \$100,000				240
Plus Excise Tax collected for School District on new construction or additions				2,000
Total SDCs due for Single Family Dwelling				<u><u>\$ 61,821</u></u>

Notes:

Comparison of Neighboring Cities' New Single-Family SDC Fees

Based on a 2,000sqft home with 500sqft garage, \$200,000 value



13.2. Street SDC

Effective July 1, 2009

Effective July 1, 2025 [see updated 7/1/2025 table attached]

13.3. Bike/Ped SDC

Effective January 26, 2010 - Phase I

Effective July 1, 2025 [see updated 7/1/2025 table attached]

13.4. Water SDC

Note: see also the additional SDC collected on behalf of South Fork Water Board
 [SFWB Water SDC for 5/8" meter is currently = \$4,218 for 2025 and \$2,944 for 2024

Effective July 1, 2024 [ENR CCI increase 3.17%]

Size of Meter	Meter Equivalency	Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>	1.00	\$970	\$11,553	\$325	\$12,848
5/8"	1	\$970	\$11,553	\$325	\$12,848
3/4"	1.5	\$1,455	\$17,330	\$487	\$19,272
1"	2.5	\$2,425	\$28,883	\$812	\$32,120
1.5"	5	\$4,850	\$57,765	\$1,625	\$64,240
2"	8	\$7,760	\$92,424	\$2,600	\$102,784
3"	16	\$15,520	\$184,848	\$5,200	\$205,568
4"	25	\$24,250	\$288,825	\$8,125	\$321,200
6"	50	\$48,500	\$577,650	\$16,250	\$642,400
8"	80	\$77,600	\$924,240	\$26,000	\$1,027,840
10"	125	\$121,250	\$1,444,125	\$40,625	\$1,606,000

Effective July 1, 2025 [ENR CCI increase 2.78%]

Size of Meter	Meter Equivalency	Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>	1.00	\$997	\$11,874	\$334	\$13,205
3/4"	1.5	\$1,496	\$17,811	\$501	\$19,808
1"	2.5	\$2,493	\$29,685	\$835	\$33,013
1.5"	5	\$4,985	\$59,370	\$1,670	\$66,025
2"	8	\$7,976	\$94,992	\$2,672	\$105,640
3"	16	\$15,952	\$189,984	\$5,344	\$211,280
4"	25	\$24,925	\$296,850	\$8,350	\$330,125
6"	50	\$49,850	\$593,700	\$16,700	\$660,250
8"	80	\$79,760	\$949,920	\$26,720	\$1,056,400
10"	125	\$124,625	\$1,484,250	\$41,750	\$1,650,625

13.5. Surface Water SDC

The surface water SDC is based on impervious surface area. For "Single Family" applications, surface water SDC's are based on an assumed average equivalent service unit (1 ESU = 2,914 sq ft). For "All Other" applications, surface water SDC's are based on actual, total impervious surface area (\$1,796-per 2,914 sq ft)

Effective July 1, 2024 [ENR CCI increase 3.17%]

Unit	Reimbursement	Improvement	Administrative	Total	
<i>per factor of 1</i>	1.00	\$1,314	\$394	\$88	\$1,796
Single family	1.00	\$1,314	\$394	\$88	\$1,796
All Other	1.00	\$1,314	\$394	\$88	\$1,796

Effective July 1, 2025 [ENR CCI increase 2.78%]

Unit	Reimbursement	Improvement	Administrative	Total	
<i>per factor of 1</i>	1.00	\$1,351	\$405	\$90	\$1,846
Single family	1.00	\$1,351	\$405	\$90	\$1,846
All Other	1.00	\$1,351	\$405	\$90	\$1,846

13.6. Park SDC

Effective July 1, 2024 [ENR CCI increase 3.17%]

Unit		Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>	1.00	\$0	\$5,776	\$156	\$5,932
Single family	2.784	\$0	\$16,080	\$435	\$16,515
Townhouse	2.784	\$0	\$16,080	\$434	\$16,515
Cottage Cluster, Separate	2.425	\$0	\$14,008	\$378	\$14,386
Cottage Cluster, Shared	2.425	\$0	\$14,008	\$378	\$14,386
2-4 Units, Separate	2.067	\$0	\$11,940	\$322	\$12,262
2-4 Units, Shared	2.067	\$0	\$11,940	\$322	\$12,262
Multi-family	1.874	\$0	\$10,823	\$291	\$11,114

Effective July 1, 2025 [ENR CCI increase 2.78%]

Unit		Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>	1.00	\$0	\$5,937	\$160	\$6,097
Single family	2.784	\$0	\$16,529	\$445	\$16,974
Townhouse	2.784	\$0	\$16,529	\$445	\$16,974
Cottage Cluster, Separate	2.425	\$0	\$14,397	\$378	\$14,775
Cottage Cluster, Shared	2.425	\$0	\$14,397	\$378	\$14,775
2-4 Units, Separate	2.067	\$0	\$12,272	\$322	\$12,594
2-4 Units, Shared	2.067	\$0	\$12,272	\$322	\$12,594
Multi-family	1.874	\$0	\$11,124	\$299	\$11,423

13.7. Sewer SDC

Note: see also the additional SDC collected on behalf of Tri-City Service District
 [Tri-City Service District Sewer SDC is currently 1 EDU = \$8,860]

Effective July 1, 2025 [ENR CCI increase 2.78%]

Unit	Meter Size	Factor	Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>		1.00	\$1,041	\$4,062	\$194	\$5,297
Single family	-	-	\$1,041	\$4,062	\$194	\$5,297
Townhouse	-	-	\$1,041	\$4,062	\$194	\$5,297
Cottage Cluster, Separate	-	-	\$907	\$3,539	\$168	\$4,614
Cottage Cluster, Shared	-	-	\$907	\$3,539	\$168	\$4,614
2-4 Units, Separate	-	-	\$773	\$3,016	\$144	\$3,933
2-4 Units, Shared	-	-	\$773	\$3,016	\$144	\$3,933
Multi-family	-	-	\$580	\$2,262	\$108	\$2,950
Commercial	5/8"	1	\$1,041	\$4,062	\$194	\$5,297
Commercial	3/4"	1.5	\$1,562	\$6,093	\$291	\$7,946
Commercial	1"	2.5	\$2,603	\$10,155	\$485	\$13,243
Commercial	1.5"	5	\$5,205	\$20,310	\$970	\$26,485
Commercial	2"	8	\$8,328	\$32,496	\$1,552	\$42,376
Commercial	3"	16	\$16,656	\$64,992	\$3,104	\$84,752
Commercial	4"	25	\$26,025	\$101,550	\$4,850	\$132,425
Commercial	6"	50	\$52,050	\$203,100	\$9,700	\$264,850
Commercial	8"	80	\$83,280	\$324,960	\$15,520	\$423,760
Commercial	10"	125	\$130,125	\$507,750	\$24,250	\$662,125

Effective October 1, 2025 [Updated Sanitary Sewer SDC Methodology - FCS Report]

Unit	Meter Size	Factor	Reimbursement	Improvement	Administrative	Total
<i>per factor of 1</i>		1.00	\$165	\$869	\$60	\$1,094
Single family	-	-	\$165	\$869	\$60	\$1,094
Townhouse	-	-	\$165	\$869	\$60	\$1,094
Cottage Cluster, Separate	-	-	\$138	\$729	\$50	\$917
Cottage Cluster, Shared	-	-	\$138	\$729	\$50	\$917
2-4 Units, Separate	-	-	\$111	\$587	\$41	\$739
2-4 Units, Shared	-	-	\$111	\$587	\$41	\$739
Multi-family	-	-	\$70	\$369	\$25	\$464
Commercial	5/8"	1	\$165	\$869	\$60	\$1,094
Commercial	3/4"	1.5	\$248	\$1,304	\$89	\$1,641
Commercial	1"	2.5	\$413	\$2,173	\$149	\$2,735
Commercial	1.5"	5	\$825	\$4,345	\$300	\$5,470
Commercial	2"	8	\$1,320	\$6,953	\$480	\$8,753
Commercial	3"	16	\$2,640	\$13,905	\$960	\$17,505
Commercial	4"	25	\$4,125	\$21,727	\$1,500	\$27,352
Commercial	6"	50	\$8,251	\$43,453	\$3,000	\$54,704
Commercial	8"	80	\$13,201	\$69,526	\$4,800	\$87,527
Commercial	10"	125	\$20,627	\$108,633	\$7,501	\$136,761

SDC per Land Use

ITE Code	Land Use	Unit	ITE Average Daily Trips	Number of Person Trips ¹	% Primary Trips	New Person Trip Ends	Effective July 1, 2024				
							Improvement Cost		Reimbursement Cost		Admin
							Bike/Ped	Street	Bike/Ped	Street	
21	Commercial Airport	CFD	123.1	206.8	100%	206.8					
30	Intermodal Truck Terminal	Acre	62.5	105.0	100%	105.0					
110	General Light Industrial	1,000 SFGFA	5.3	8.8	100%	8.8					
130	Industrial Park	1,000 SFGFA	5.3	9.0	100%	9.0					
140	Manufacturing	1,000 SFGFA	3.0	5.1	100%	5.1					
151	Mini-Warehouse	1,000 SFGFA	2.4	4.0	100%	4.0					
160	Data Center	1,000 SFGFA	1.0	1.7	100%	1.7					
210	Single-Family Detached Housing	Dwelling unit	9.4	15.7	100%	15.7					
215	Townhouse	Dwelling unit	7.4	9.8	100%	9.8					
Hybrid	Cottage Cluster, Separate	Dwelling unit	6.7	8.1	100%	8.1					
Hybrid	Cottage Cluster, Shared	Dwelling unit	6.7	8.1	100%	8.1					
Hybrid	2-4 Units, Separate	Dwelling unit	6.7	8.1	100%	8.1					
Hybrid	2-4 Units, Shared	Dwelling unit	6.7	8.1	100%	8.1					
220	Apartment	Dwelling unit	6.5	10.9	100%	10.9					
240	Mobile Home Park	ODU	4.9	8.2	100%	8.2					
254	Assisted Living	Bed	2.6	4.3	100%	4.3					
310	Hotel	Room	7.9	13.2	100%	13.2					
320	Motel	Room	5.6	9.5	100%	9.5					
411	City Park	Acre	6.1	10.3	100%	10.3					
417	Regional Park	Acre	5.0	8.4	100%	8.4					
430	Golf Course	Acre	5.3	8.9	100%	8.9					
444	Movie Theater with Matinee	Movie screen	387.0	650.2	100%	650.2					
492	Health/Fitness Club	1,000 SFGFA	30.3	50.9	100%	50.9					
495	Recreational Community Center	1,000 SFGFA	27.4	46.0	100%	46.0					
520	Elementary School	1,000 SFGFA	7.1	12.0	59%	7.1					
522	Middle School/Junior High School	1,000 SFGFA	6.4	10.7	59%	6.3					
530	High School	1,000 SFGFA	6.0	10.0	59%	5.9					
540	Junior/Community College	1,000 SFGFA	21.4	36.0	100%	36.0					
560	Church	1,000 SFGFA	13.2	22.2	100%	22.2					
565	Day Care Center	1,000 SFGFA	18.0	30.3	33%	10.0					
590	Library	1,000 SFGFA	50.5	84.8	100%	84.8					
610	Hospital	1,000 SFGFA	12.2	20.4	100%	20.4					
620	Nursing Home	1,000 SFGFA	7.2	12.1	100%	12.1					
710	General Office Building	1,000 SFGFA	8.4	14.1	100%	14.1					
720	Medical-Dental Office Building	1,000 SFGFA	27.3	45.9	100%	45.9					
731	State Motor Vehicles Department	1,000 SFGFA	120.9	203.1	100%	203.1					
732	United States Post Office	1,000 SFGFA	88.4	148.4	100%	148.4					
750	Office Park	1,000 SFGFA	8.5	14.3	100%	14.3					
760	Research and Development Center	1,000 SFGFA	6.2	10.5	100%	10.5					
770	Business Park	1,000 SFGFA	9.4	15.9	100%	15.9					
812	Building Materials and Lumber Store	1,000 SFGFA	43.1	72.5	100%	72.5					
813	Free-Standing Discount Superstore	1,000 SFGFA	38.5	64.6	72%	46.5					
814	Variety Store	1,000 SFGFA	30.6	51.4	48%	24.5					
815	Free-Standing Discount Store	1,000 SFGFA	28.2	47.4	48%	22.6					
816	Hardware/Paint Store	1,000 SFGFA	25.9	43.5	45%	19.4					
817	Nursery (Garden Center)	1,000 SFGFA	82.9	139.2	100%	139.2					
820	Shopping Center	1,000 SFGFA	20.7	34.7	50%	17.4					
826	Specialty Retail Center	1,000 SFGFA	40.6	68.2	100%	68.2					
841	Automobile Sales	1,000 SFGFA	29.3	49.2	100%	49.2					
843	Automobile Parts Sales	1,000 SFGFA	27.2	45.8	44%	20.1					
848	Tire Store	1,000 SFGFA	17.1	28.7	69%	19.7					
850	Supermarket	1,000 SFGFA	47.3	79.5	39%	30.8					
851	Convenience Market (Open 24 Hours)	1,000 SFGFA	246.8	414.6	33%	134.9					
857	Discount Club	1,000 SFGFA	42.3	71.1	100%	71.1					
862	Home Improvement Superstore	1,000 SFGFA	16.7	28.1	44%	12.4					
880	Pharmacy/Drugstore without Drive-Thru	1,000 SFGFA	38.1	64.1	42%	27.1					
881	Pharmacy/Drugstore with Drive-Through	1,000 SFGFA	36.8	61.9	38%	23.5					
890	Furniture Store	1,000 SFGFA	1.8	3.1	37%	1.1					
911	Walk-in Bank	1,000 SFGFA	121.3	203.8	100%	203.8					
912	Drive-in Bank	1,000 SFGFA	33.5	56.3	27%	15.4					
925	Drinking Place	1,000 SFGFA	154.9	260.2	100%	260.2					
931	Quality Restaurant	1,000 SFGFA	37.4	62.9	43%	26.7					
932	High-Turnover (Sit-Down) Restaurant	1,000 SFGFA	52.6	88.3	40%	35.1					
933	Fast-Food Restaurant without Drive-Thru	1,000 SFGFA	208.3	349.9	40%	139.1					
934	Fast-Food Restaurant with Drive-Through	1,000 SFGFA	219.1	368.0	41%	150.7					
936	Coffee/Donut Shop without Drive-Thru	1,000 SFGFA	102.6	172.4	40%	68.5					
937	Coffee/Donut Shop with Drive-Through	1,000 SFGFA	335.2	563.1	41%	230.5					
938	Coffee/Donut Kiosk	1,000 SFGFA	306.0	514.1	17%	87.4					
944	Gasoline/Service Station	VFP	59.0	99.1	35%	34.7					
945	Gasoline/Service Station with Convenience	VFP	20.8	34.9	13%	4.5					
946	Gasoline/Service Station with Car Wash	VFP	36.5	61.3	24%	14.7					
***	Other (median)		27.2	45.8	100%	45.8					
***	Other (average)		54.0	90.7	77%	70.0					
Per Average Daily Person Trip-End Unit SDC Fee (eff. 7/1/23)							\$124.52	\$133.08	\$1.61	\$14.09	\$9.01

Source: ITE Trip Generation Manual, 9th Edition, compiled by FCS GROUP
¹Person trip conversion rate of 1.68 derived from 2009 U.S. National Household Transportation Survey findings
Abbreviations
 CFD - commercial flights per day
 ODU - occupied dwelling unit
 SFGFA - square feet of gross floor area
 SFGLA - square feet of gross leasable area
 VFP - vehicle fueling position

Attachments

1. Fees of other entities that the City of West Linn is required to pass through
 - 1.1. METRO - Construction Excise Tax
 - 1.2. WLWSD - Construction Excise Tax
 - 1.3. LOSD - Construction Excise Tax
 - 1.4. Water SDC - South Fork Water Board water SDC charges
 - 1.5. Sewer SDC - Tri-City Service District sewer SDC charges
2. Copy of Resolution adopting Master Fees and Charges booklet
3. Copies of the three Construction Excise Tax agreements and provisions

Attachments

1. Construction Excise Tax agreement with other entities

1.1. METRO - Construction Excise Tax

	<u>Fee</u>	
Tax percentage to be assessed on value of construction	0.12%	of construction
City's administrative fee retained to cover collection costs	5%	of tax amount
Maximum amount of tax assessed	\$ 12,000	
Exempt construction projects that are under this value	\$ 100,000	
Date the tax first went into effect	July 1, 2006	

<http://www.metro-region.org/index.cfm/go/by.web/id=18459>

1.2. WLWSD - Construction Excise Tax

Residential - tax amount on value of construction	\$ 1.56	per square foot
Nonresidential - tax amount on value of construction	\$ 0.78	per square foot
City's administrative fee retained to cover collection costs	4%	of tax amount
Date the tax first went into effect	June 17, 2017	

1.3. LOSD - Construction Excise Tax [increased for CCI eff. 12/27/2023]

Residential - tax amount on value of construction	\$ 1.45	per square foot
Nonresidential - tax amount on value of construction	\$ 0.72	per square foot
City's administrative fee retained to cover collection costs	4%	of tax amount
Date the tax first went into effect	April 1, 2010	

1.4. South Fork Water Board - Water SDC Fee

Meter Size	Equivalent Meter Factor (EMF)	Water SDC Fee (eff. 1/1/23)	Water SDC Fee (eff. 1/1/24)	Water SDC Fee (eff. 3/1/25)
3/4"	1	\$ 2,932	\$ 2,944	\$ 4,218
3/4"	1.5	\$ 4,398	\$ 4,416	\$ 6,327
1"	2.5	\$ 7,331	\$ 7,359	\$ 10,545
1.5"	5	\$ 14,661	\$ 14,719	\$ 21,090
2"	8	\$ 23,458	\$ 23,550	\$ 33,744
3"	16	\$ 46,916	\$ 47,099	\$ 67,488
4"	25	\$ 73,307	\$ 73,593	\$ 105,450
6"	50	\$ 146,613	\$ 147,186	\$ 210,900
8"	80	\$ 234,581	\$ 235,497	\$ 337,440
10"	115	\$ 337,211	\$ 338,528	\$ 485,070

1.5. Tri-City Service District - Sewer SDC Fee

[see next page for table, details, and information]

1.5. Tri-City Service District Sewer SDC Fee

1 EDU = \$9,100 proposed

Class of Service	System Development Charge	Sewer Use Charge
Residential		
01. Single Family Dwelling	1 EDU	1 EDU
02. Duplex	0.8 EDU per dwelling unit	1 EDU per dwelling unit
03. Triplex	0.8 EDU per dwelling unit	1 EDU per dwelling unit
04. Multi-Family (Four Plex and Up)	0.8 EDU per dwelling unit	1 EDU per dwelling unit
05. Trailer/Mobile Home Parks	0.8 EDU per dwelling unit	1 EDU per rental space provided sewer service
06. Adult Foster Care Homes ¹	1 EDU	1 EDU per five occupants
Institutional		
10. High Schools	1 EDU per 29 students (ADA) ²	1 EDU per each 1,000 cu. Ft. or fraction thereof per month of metered water consumption
11. Junior High Schools	1 EDU per 29 students (ADA) ²	Same as 10. (above)
12. Elementary and Pre Schools	1 EDU per 65 students (ADA) ²	Same as 10. (above)
13. Community Colleges	1 EDU per 29 students (ADA) ²	Same as 10. (above)
14. Churches	1 EDU per 180 seats (ADA) ³	Same as 10. (above)
-if parsonage	1 EDU per 29 students (ADA) ²	Same as 10. (above)
-if weekday child care or church school	1 EDU per 65 additional students	Same as 10. (above)
-if full time business officer	1 EDU per 1,900 sq. ft. additional meeting area	Same as 10. (above)
-if evening programs conducted three night or more per week	1 EDU per 1,900 sq. ft. additional meeting area	Same as 10. (above)
15. Hospitals - General	1 EDU per bed	Same as 10. (above)
16. Convalescent/Rest Homes	1 EDU per two beds	Same as 10. (above)
17. Adult Foster Care Homes ⁴	1 EDU per two beds	Same as 10. (above)
Commercial		
20. Hotels, Motels	1 EDU per two rooms	1 EDU per two rooms ⁵
-if quality restaurant	1 EDU per 10 seats, 1 EDU per 10 additional seats	1 EDU per 10 seats ⁵
21. Restaurants	1 EDU per 11 seats	1 EDU per 11 seats ⁵
22. Fast Food	1 EDU per 18 seats	1 EDU per 18 seats ⁵
23. Tavern/Lounge	1 EDU per 18 seats	1 EDU per 18 seats ⁵
24. Service Stations (without car wash)	1.7 EDU	1 EDU per each 1,000 cu. Ft. or fraction thereof per month of metered water consumption
25. Car Wash	UEDUs per stall	Same as 24. (above)
26. Rollover (with service station)	5.6 EDUs	Same as 24. (above)
27. Tunnel (with service station)	16 EDUs	Same as 24. (above)
28. Laundromats	1 EDU per machine	Same as 24. (above)
29. Other Commercial (shall include all classes not otherwise included in this table)	The lesser of 1 EDU per 1,900 sq. ft. or less of floor space or 1 EDU per quarter acre or fraction thereof of land acre but not less than 50 percent of maximum charge resulting from the two options.	Same as 24. (above)
Industrial		
30. Light Industrial Waste ⁶	Same as 29. (above)	1 EDU per each 1,000 cu. Ft. or fraction thereof per month of metered water consumption and actual cost to District for removal of SS and BOD per pound for amount resulting from sewage strength in excess of domestic sewage strength. Based on District cost per pound for removal off BOD and SS and cost per gallon for processing sewage flow.
31. Heavy Industrial Waste ⁷	Based on actual cost to District but not less than 16. (above)	
Public Authorities		
40. Cities	See applicable agreements	See applicable agreements

Note: For the purpose of equivalent dwelling units for connection charge purposes, the quotient will be carried to two decimal places.

¹ Adult foster care homes having an occupancy capacity of five or fewer persons for whom the owner/operator of the facility receives remuneration of any kind shall be charged for one EDU.

- 2 ADA = Average Daily Attendance
- 3 Where seating is on benches or pews, the number of seats shall be computer on the basis of one seat for each 18 inches of bench or pews length.
- 4 Adult foster care homes having an occupancy capacity in excess of five persons for whom the owner/operator of the facility receives remuneration of any kind.
- 5 First year of service is based on seating capacity as shown. Subsequent service based on one EDU per 1,000 cubic feet or fraction thereof of metered water consumption.
- 6 With 30 pounds to 200 pounds of SS per day; 30 pounds to 200 pounds of BOD per day; and less than 10,000 gallons per day
- 7 With more than 200 pounds of SS per day; 200 pounds of BOD per day; and 10,000 gallons or more per day

Agenda Bill 2025-09-08-04

Date: September 2, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

Through: John Williams, City Manager *JW*

From: Megan Big John, Parks and Recreation Director

Subject: Community Tree Ordinance and Tree Manual Technical Review

Purpose:

Overview of the Community Tree Ordinance and Tree Manual with suggested technical updates to bring both in compliance with state law, improve consistency in administrative decision making, reduce administrative costs, enhance public safety, and reduce City liability.

Question(s) for Council:

Does Council want to move forward with the proposed updates to the Community Tree Ordinance and Tree Manual?

Public Hearing Required: None Required.

Background:

The City's Community Tree Ordinance and Tree Manual serve as foundational documents for the management, preservation, and regulation of trees within the urban environment. These tools are critical for ensuring public safety, maintaining the City's tree canopy, and supporting responsible development. However, in recent years, evolving state laws and practical implementation challenges have revealed the need to update these documents to ensure legal compliance, administrative consistency, and enhanced service delivery.

Staff from Planning, Engineering, Building, and Code Enforcement departments, in collaboration with the City's on-staff arborist and a consulting arborist, have conducted a comprehensive review of the current ordinance and manual. This multidisciplinary team has identified several areas where the existing documents are unclear, inconsistent, or outdated in light of new regulatory requirements and best practices. As a result, staff have developed a series of proposed technical amendments designed to address these gaps.

At the Council Work Session on September 2, City Staff and the City Attorney presented proposed revisions to the Heritage Tree section of the City Code due to the cost and liability of the program. The proposed changes include a distinction between trees designated before and after September 8, 2025, should the Council decide to enact this ordinance. For trees designated as a Heritage Tree after that date, tree maintenance will be the property owner's responsibility. For trees already designated as Heritage Trees prior to September 8, tree maintenance would remain the responsibility of the City as it currently is under the existing code. However, property owners would have the option of opting into

maintenance of the Heritage Tree on their property if desired. The proposed revisions in this section also clarify that the City is responsible for the legal fees associated with *recording* the deed restriction. Additionally, updates to the removal criteria for a Heritage Tree designation were presented, to include dead, dying or hazard as possible criteria for Council consideration.

Budget Impact:

Proposed technical updates will streamline processes and reducing ambiguity in the permitting system will result in decreased time and resources required to process applications, allowing departments to operate more efficiently.

In addition to the technical revisions, staff are also suggesting several policy changes aimed at further reducing administrative burdens, offsetting operational costs, and continuing to lower the City’s liability exposure.

Sustainability Impact:

This update to the City Tree Code supports sustainable urban forest management by providing clear, consistent procedures and criteria for evaluating and issuing tree permits. By clarifying decision-making framework, the amendments reduce inconsistent interpretations and increase transparency, helping to build public trust. Additionally, clearer guidelines for tree maintenance and removal support proactive care of the city’s tree canopy, helping to prevent hazardous situations, reduce long-term costs, and mitigate liability.

Council Options:

- 1) Direct staff to move forward on ALL proposed Tree Ordinance and Tree Manual Changes and adopt the updates.
- 2) Direct staff to move forward ONLY on proposed technical updates to Tree Ordinance and Tree Manual and adopt the updates.
- 3) Direct staff to come back with additional information for a follow up meeting.

Staff Recommendation:

Staff believes that implementing both the technical and policy changes as a unified package will provide the most benefit to the City and its residents. Doing so ensures that operational improvements and legal updates are complemented by common-sense policy adjustments that support long-term program viability. This proactive approach balances regulatory compliance, community expectations, and municipal risk management.

The proposed amendments represent a comprehensive and collaborative effort across City departments—including Planning, Engineering, Building, and Code Enforcement—with professional input from the City’s staff arborist and a consulting arborist.

Potential Motion:

Council to decide if they want to adopt proposed updates to the Community Tree Ordinance and Tree Manual.

Attachments:

- 1) [City Council Work Session 2025-09-02 agenda packet](#)
- 2) Ordinance 1765

ORDINANCE 1765

**AN ORDINANCE AMENDING WEST LINN MUNICIPAL CODE CHAPTER 8 RELATING TO THE
COMMUNITY TREE CODE**

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~**bold lined through**~~ and additions are **bold underlined**.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, the management and preservation of trees within West Linn is critical for ensuring public safety, maintaining the City's tree canopy, and supporting responsible urban forest management; and

WHEREAS, the City's Community Tree Ordinance (code) is foundational for the management, preservation, and regulation of trees within the urban environment; and

WHEREAS, the West Linn Municipal Code (WLMC) should reflect best practices in tree maintenance and management, compliance with changing state laws and regulations, and alleviate practical implementation challenges for residents and City staff; and

WHEREAS, the City seeks to improve customer service delivery, ensure administrative efficiency, and clearly communicate permit processes and tree maintenance practices to the community.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Amendments. Chapter 8, Community Tree Ordinance, found at West Linn Municipal Code Sections 8.500 through 8.798, is amended to read as shown in Exhibit A.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder or the designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the ____ day of _____, 2025, and duly PASSED and ADOPTED this ____ day of _____, 2025.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

COMMUNITY TREE ~~ORDINANCE~~ CODE

8.500 Purpose.

The purpose of Sections [8.500](#) to [8.798](#) is to ensure that the City and any areas that may become part of the City of West Linn will continue to realize the benefits provided by its urban forest, and to establish a process and standards which will minimize uncontrolled cutting or destruction of trees or wooded areas within West Linn. It is the intent of Sections [8.500](#) to [8.798](#) to establish, maintain, and increase the quality of tree cover on public and private lands within the City; maintain City trees in a healthy and nonhazardous condition through good arboricultural practices; and to provide a stable and sustainable urban forest. Sections [8.500](#) to [8.798](#) also recognize the value of the urban forest for its effect [on](#) enhancement of the urban environment in the following ways:

1. Healthy, well-maintained trees enhance business and residential environmental and property values.
2. Trees reduce air pollution by trapping dust on their leaves and in their bark, while also absorbing gaseous and liquid pollutants in their leaves and roots and returning oxygen to the atmosphere.
3. Tree roots stabilize the soil and impede erosion.
4. Trees reduce summer heat by blocking direct sunlight and glare. Evaporation of moisture from the leaves cools the surrounding air and moderates temperatures. Trees preserve and enhance water quality in streams and rivers.
5. Trees soften the geometric rigidity and hard surfaces of streets and buildings.
6. Trees muffle and buffer city noises.
7. Trees are recognized by a majority of residents as an essential component to community livability and quality of life. Trees foster a sense of connection to the natural environment and are widely considered to be a key component to the overall aesthetics of a community.

It is the goal of the City of West Linn, through implementation of this [ordinancecode](#) and through other measures designed to encourage and promote tree conservation and planting on both public and private lands, to maintain and increase tree canopy coverage within the City. In addition to and separate from this [ordinancecode](#) are standards concerning trees and tree protection in the Community Development Code (CDC).

[Section 8.500 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.510 Definitions.

Basal Flare: That portion of a tree where there is a rapid increase in diameter at the confluence of the trunk and root crown.

Building footprint: The two-dimensional configuration of an existing building's perimeter boundaries as measured on a horizontal plane at ground level.

Business Days: ~~When West Linn City Hall is open to the public for business Monday through Friday -- exempting any holidays.~~

Calendar Days: All days as noted on a calendar, inclusive of weekends and holidays.

Certified Arborist: An individual who ~~has either~~ obtained certification as an arborist from the International Society of Arboriculture, ~~or who is a member of the American Society of Consulting Arborists.~~

City Arborist: ~~The person designated as such by the City Manager. The City Arborist may be employed by the City of West Linn directly, or be a contracted arborist.~~

City Manager: The City Manager or their designee.

City Right of Way: Land that is not owned by a private individual or company that has been either deeded or dedicated to the City for a public [transportation](#) purpose. As referred to with a road, the area of the road and area adjacent to the road in City ownership.

DBH: Diameter at Breast Height is a tree's [trunk](#) diameter ~~(circumference)~~ at 4-1/2 feet or 54 inches above ~~the highest natural~~ ground level ~~unless otherwise specified for multi-trunked, leaning, or other irregular trees in the most recent edition of the Guide for Plant Appraisal. DBH measured in this fashion is considered the accepted method for measuring the size of a tree, by both industry and scientific standards.~~

Dead Tree: A tree that is dead or has been damaged beyond repair or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs, or branches exists to sustain life) and has been determined to be such by a certified arborist.

Disturbance: All of the various activities from construction or development that may damage trees.

Drip line area: The area under the tree's canopy as defined by an imaginary vertical line extending downward from the outermost tips of a tree's natural length branches to the ground.

Erosion: Detachment and movement of soil, rock fragments, mulch, fill, or sediment.

Excessive pruning: Removal of more than one-third of the functioning leaf, stem, or root area of a tree in any twelve-month period, or removal of foliage so as to cause the unbalancing of a tree. Removal of more than one-third of functioning leaf, stem, or root area is considered a tree removal.

Groves: A group of two or more trees with meeting or overlapping canopies. The trees need not be the same species.

Hazard tree: Any tree with a structural defect and/or disease which makes it subject to an high imminent or probability-probable likelihood of failure, and which threatens persons or property, including other trees based on an extreme or high overall risk rating over the next five-year timeframe according to an ISA Qualified Tree Risk Assessor using the ISA Tree Risk Assessment process.

Hazard tree owner or responsible party: The property owner or responsible party with the largest percentage of a Hazard tree trunk immediately above the basal flare. In cases where the Hazard tree consists of a branch instead of an entire tree, the hazard tree owner or responsible party is the person who owns or is responsible for the property from where the branch originates. The hazard tree owner or responsible party:

a. Owns the Hazard tree;

b. Is the entity or person acting as an agent for the owner of the Hazard tree by agreement that has authority over the Hazard tree, is responsible for the Hazard tree's maintenance or management, or is responsible for Hazard tree abatement;

c. Is any person occupying the property with the Hazard tree, including bailee, lessee, tenant or other having possession; or

d. Is the person who is alleged to have committed the acts or omissions resulting in the Hazard tree or allowed the Hazard tree to exist on the property.

Hazardous Growth Habit: The development of a tree that, due to a combination of structural defect, disease, or existing disturbance, is subject to an imminent or probable likelihood high probability of failure; and such failure would result in a threat to persons or improved property based on an extreme or high overall risk rating over the next five-year timeframe according to an ISA Qualified Tree Risk Assessor using the ISA Tree Risk Assessment process.

Heritage Tree: A tree designated by the City Council as having significant historic or community value to the City of West Linn.

ISA: International Society of Arboriculture.

Injury: A wound resulting from any activity, including but not limited to excessive pruning, cutting, trenching, excavating, altering the grade, or paving/compaction within the tree protection zone of a tree. Injury shall include bruising, scarring, tearing or breaking of roots, bark, trunk, branches, or foliage, herbicide or poisoning, or any other action foreseeably leading to the death or permanent damage to tree health.

~~**Permit Fee:** A fee for tree removal permits shall be established by Council resolution.~~

~~**Project Arborist:** A certified arborist hired by an applicant who will handle tree related issues and correspondence with the City Arborist regarding permits under this code.~~

~~**Protected Tree:** All trees that are specifically designated to be saved on private property pursuant to an approved development permit, or for which the City Manager has not issued a tree removal permit. Protected trees are to be indicated on building permits or development plans submitted for approval.~~

Protected Tree Fencing: A temporary enclosure erected around a tree to be protected at the boundary of the tree protection zone. The fence serves three primary functions: 1) to keep the foliage crown, branch structure and trunk clear from direct contact and damage by equipment, materials, or disturbances; 2) to preserve roots and soil in an intact and non-compacted state; and 3) to identify the tree protection zone in which no soil disturbance is permitted and activities are restricted.

Soil Compaction: The compression of soil particles that may result from the movement of heavy machinery and trucks, storage of construction materials, structures, paving, etc., within the tree protection zone. Soil compaction can result in atrophy of roots and potential death of the tree, with symptoms often taking years to manifest.

Street Tree: Any tree planted by the City or authorized to be planted by another party in a Right of Way and designated as such. Street Trees do not include existing native or non-native trees or new plantings that are not authorized by the City.

Topping: The severe cutting back of a tree's limbs within the tree's crown so as to remove the natural canopy and disfigure the tree.

Tree: For the purposes of determining whether a tree removal permit is required, the following definition of Tree is used. Only those trees that meet or exceed the size standards stipulated in this definition require permits to be removed. It is to be explicitly understood, however, that within this Ordinance there are some references to "Tree" or "Trees" (such as with street trees or replacement trees) where the term "Tree" is used (because it would be cumbersome to invent a different term) but to which the size requirements do not apply.

Any woody, perennial plant, deciduous, evergreen, or coniferous, having a main stem or trunk of a minimum of 6 inch DBH for Oregon white oak, Pacific madrone, and Pacific dogwood, and

12 inch DBH for all other tree species. ~~Trees with multiple trunks will be measured at the 54-inch standard and computed as a total DBH.~~ Plants that otherwise meet the above description but are typically grown as shrubs will not be considered trees. Some typical examples of these we see commonly are hazelnut, photinia, and laurel.

(Note: Also see Exemptions - Section 8.560)

Tree Appraisal: A method of determining the monetary value of a tree as it relates to the real estate value of the property, neighborhood, or community. When required, a certified arborist determines the appraisal by adjusting a tree's basic value by its condition, location, and species using the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

Tree Canopy: For the purposes of determining tree removal, it is the sum total of the branch and leaf structure of a tree including the trunk and/or trunks. When referred to as the City tree canopy, it refers to the total ground area that is shielded by tree foliage as would be determined from an aerial view of the City.

~~**Tree Protection and Preservation Plan:** A plan prepared by a certified arborist that outlines measures to preserve protected trees on a project site. This plan shall include requirements for pre-construction, treatments during demolition and/or construction, establishment of a tree protection zone for each tree, tree monitoring and inspection schedule, and provide for continuing maintenance of those trees after construction according to the requirements in this Manual.~~

~~**Tree Protection Zone (TPZ):** Unless otherwise specified by a project arborist or City Arborist, the area of temporary fenced tree enclosure.~~ The Tree Protection Zone is a restricted activity zone where no soil disturbance is permitted, unless otherwise approved. The TPZ will normally be measured at $\frac{3}{4}$ foot radius per caliper inch for any given tree. Unless otherwise specified by a project arborist or City Arborist, the area of temporary fenced tree enclosure.

Tree Removal: Any of the following: (1) Complete removal, such as cutting to the ground or extraction, of a tree; (2) Taking any action foreseeably leading to the death of a tree or permanent damage to its health; including but not limited to excessive pruning, cutting, girdling, poisoning, over watering, unauthorized relocation or transportation of a tree, or trenching, excavating, altering the grade, compacting the soil or paving within the drip line area of a tree; (3) removal of more than one-third of functioning leaf and stem area of a tree in any 12-month period, or removal of foliage so as to cause the unbalancing of a tree is considered as removal for purposes of this ordinance code. For fruit-bearing trees, see Section 8.560.

Visually Prominent: ~~Visible~~ At least one half of the canopy height or width is visible from a publicly accessible vantage point within 1000 feet of the tree. ~~Removal of a visually prominent tree would result in a marked difference in a view from an adjacent property or from a public right-of-way.~~

[Section 8.510 added by Ordinance No. [1503](#), adopted May 5, 2004; Section 8.510 amended by Ordinance No. [1542](#), adopted November 27, 2006.]

8.520 Permit Authority.

The City Manager, or designee, shall have the authority to issue tree removal permits. In the absence of the City Manager, the City Council shall delegate this authority to another City employee.

[Section 8.520 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.530 City Approval Required.

Unless specifically exempted, any removal of a tree as defined by this [ordinancecode](#) within the City of West Linn on public or private lands shall require a tree removal permit.

[Section 8.530 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.535 Business License Required.

It shall be unlawful for any person to engage in the business, occupation or profession of tree pruning or removal within the corporate limits of the City of West Linn without first obtaining a business license therefore as provided in sections [7.000](#) to [7.080](#) of this code.

[Section 8.535 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.540 Fees.

The City Council shall have the authority to set a tree removal permit fee schedule, and approve appropriate permit application forms. Such fees shall be ~~adopted by Ordinance of the City Council. The fee for a tree removal permit shall be zero.~~ [adopted by resolution and specified in the Master Fees and Charges Document.](#)

[Section 8.540 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.560 Exemptions.

ORCHARD TREES, TREE FARMS, AND COMMERCIAL NURSERIES EXEMPTION: The City shall not require a permit for removal of trees that are being grown for orchard trees, tree farms and commercial nurseries.

FRUIT BEARING TREES, NON-COMMER-CIAL, EXEMPTION: Recognizing that the generally accepted pruning of some trees, such as fruit-bearing trees, requires significantly more pruning without damage to the trees, such pruning shall be exempt from the permitting process.

[Section 8.560 added by Ordinance No. [1503](#), adopted May 5, 2004]

8.570 Development Review and Building Permit Process.

A. Development Review

1. Any tree which has been approved for removal through the development review process (governed by the Community Development Code, or CDC), either as part of the provision of public improvements or as part of the ultimate development of the site, shall not require an additional tree-removal permit. However, any tree not approved for removal through the development review process, ~~but later is found to require removal during the public improvement or grading review process,~~ shall require approval of a tree removal permit by the City. ~~In such cases, in addition to the findings in Section [8.630](#), the City may consider whether alternative public improvements or grading plans are feasible and can result in saving the threatened tree.~~

~~2. Non-compliance with CDC governed trees shall result in enforcement in accordance with section [8.740](#) of this code, in addition to any penalties set forth in the CDC.~~

B. Building Permits

1. Trees that are within the otherwise approved footprint of a project requiring a building permit will not need an additional permit for removal.

2. The City may require the applicant to make minor modifications to a building plan to save significant trees on the property, provided other City mandated regulations, such as lot setback distances, are met. Minor modifications include but are not limited to moving the footprint to a different location on the lot and changes to the driveway shape and location.

C. Details and specifications regarding tree protection and removal ~~for trees governed by the CDC and building permits under this code~~ can be found in the City's Tree Technical Manual.

[Section 8.570 added by Ordinance No. [1503](#), adopted May 5, 2004; Section 8.570 amended by Ordinance No. [1542](#), adopted November 27, 2006.]

TREE REMOVAL

8.610 Contents of Application for Tree Removal.

A permit shall be required to remove any tree in West Linn ~~unless such permit is waived by the City Manager.~~ For the purposes of this ~~ordinance code~~, only trees meeting the criteria set forth in the definitions section (8.510) and Street Trees section (8.720) are required to get a permit. Trees of smaller diameter than the standards stipulated in WLMC [8.510](#) do not require a permit to be removed.

The application shall include:

1. A completed Tree Removal Permit Application. This includes the following information:

a. The tree owner's name, address, ~~and email address, and~~ phone number;

b. The site address for the tree removal;

c. The number, diameter, and species of trees requested to be removed;

d. Reasons justifying the removal, referencing the criteria in section 8.630;

e. The tree owner's signature and date;

f. The owner's consent to the City entering the site for the purpose of section 8.620(2)(a); and

g. The permit applicant's name, address, email address, phone number, signature, and date (if different from tree owner).

2. A site plan of the property upon which the tree proposed for removal is located. Applicants may use maps available through the City's GIS mapping system. The site plan should show the following:

a. The location of the tree(s) to be removed;

b. The location of any existing building footprint(s);

c. The location of any new or planned building expansion(s). (This applies to construction that is exempt from permitting under the Building Code.);

d. The location of any paved or concreted areas on the property.

3. After clearly marking the tree(s) on the property with brightly colored tape, the applicant shall take and include with the application photograph(s) of the tree(s) to be removed and the surrounding area.

4. The applicant may, at their discretion, submit a report by an Certified Arborist ~~on the health and structure of the tree(s) to be removed and the impact of such removal upon surrounding trees to demonstrate that the applicable approval criteria are met.~~ In no way should this be construed to mean that the City requires such a report for all applications, except as noted below. Reports from other qualified professionals (engineers, appraisers, etc.) may also be included in the application but are not required for all applications.

a. ~~If the application is being made on the criteria in Section 8.630 A-2 "damaged root structure that will lead to death," then a formal report from an arborist is required. City Arborist is not able to clearly determine whether the applicable approval criteria are met based on the submitted application materials, additional information may be required from the applicant including but not limited to reports by a Certified Arborist.~~

[Section 8.610 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.610 amended by Ordinance No. 1542, adopted November 27, 2006.]

8.620 Permit Process.

~~Upon receipt of a permit request for tree removal, the City Manager shall take the following steps:~~

Upon receipt of an application for a Tree Removal Permit, the City Arborist or designee, shall take the following steps:

1. Determine if the application is complete. A complete application shall include all information requested on the application and as defined in Section 8.610 - Contents of Application for Tree Removal.

If the application is incomplete, notify the applicant within 10 business days of the deficiencies and information necessary to complete the application.

2. Once the application is complete:

a. The City will visit the site if necessary, to identify and verify the specific tree(s) requested for removal and will note the following:

- (1) The accuracy of the application, including the location of the tree(s);
- (2) That the tree(s) are visibly identified with brightly colored tape;
- (3) The diameter and species of the tree(s).

b. The City will determine the level of notification needed based on the approval criteria in section 8.630.

(1) If any approval criteria A.1.a. through ~~dj.~~ apply, then ~~no~~ notification is ~~needed~~not required, and the decision of the City Arborist is final after issuance, with no appeal right.

(2) If only approval criteria A.1.~~ak. through or dj.~~ and both denial criteria A.2.a. and ~~eb.~~ do not apply, ~~the City shall erect~~ a sign shall be erected on-in the ~~right of way~~right-of-way on-abutting the subject property, clearly visible ~~from to~~ the public ~~right-of-way,~~ giving notice of the proposed tree cutting, including the same or similar information as provided on the property owner notice below. The sign shall be placed on the property at least 10 business days prior to the issuance of a decision on the permit. If the property has no frontage on a public right-of-way, a second sign shall be placed on the nearest such right-of-way directing individuals to the property.

(3) For all other trees the City shall, in addition to the sign notification described above, notify ~~all property owners within 500 feet of the property for which the permit is being requested~~the general public about the permit request via the City website. The notice shall be ~~posted to the website sent via US Mail~~ at least 10 business days prior to the issuance of a decision, and shall include the following:

- (a) The address (or legal description) of the property
- (b) A copy of the applicant's site plan
- (c) A description of the trees to be removed including the diameter and species
- (d) The reasons stated by the property owner justifying the removal
- (e) The expected City ~~Manager's Arborist's~~ decision date
- (f) How to request a copy of the decision on the application
- (g) The appeal rights and process (see Section 8.640)
- (h) The address and contact information of the City staff person for questions and comments

3. Within 20 business days of completion of the application, issue a decision on the permit request, using the decision-making criteria defined in Section 8.630. The City shall email a copy of the decision to the applicant and any other individual or organization requesting a copy of

the decision within two business days of the decision. Upon special request, additional information may be included with the emailed decision, including, but not limited to the appeal rights and process, public comments received by the City, and comments on how the decision criteria in section 8.630 were applied.

4. Final ~~Decision~~decision date and ~~Issuance~~issuance of permit: When any approval criteria 8.630.A.1.a. through j. are satisfied, the decision of the City Arborist becomes final immediately and the permit will be issued. For all other tree removal permit criteria, A decision of the City Arborist becomes final 10 business-calendar days after it ~~(the decision) is issued~~the mailing date of the decision. ~~If the decision is to grant the permit, the permit shall be issued only after the decision becomes final. If there is no appeal filed, the decision of the City Arborist becomes final 10 business days after it (the decision) is issued. The permit to remove the tree(s) will not be issued until the decision becomes final. In the event that an appeal is timely filed under 8.640 of this code, then the City Arborist's decision shall not become final until the appeal is resolved.~~

[Section 8.620 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.620 amended by Ordinance No. 1542, adopted November 27, 2006.]

8.630 Tree Removal Permit Criteria.

A. In making a determination whether to grant a permit, the City shall consider ~~the criteria listed below. The decision shall include findings that cite each of these~~the below-listed criteria. ~~These criteria are meant to be guides, and the varying importance or weight of each in determining the appropriateness of tree removal shall be as expressed in the findings:~~

1. The City shall grant the tree removal permit if the application satisfies any of aAny of the following criteria, except for criteria 8.630.1.(k) and (l). ~~shall be considered as aspects likely to warrant approval of a tree removal permit:~~

- (a) The tree is determined to be dead, or dying and not recoverable.
- (b) The tree is determined to have a significantly damaged root structure that will adversely impact the health and stability of the tree. Such a determination shall be based upon a report provided by the applicant. The report shall be reviewed and verified by the City Arborist.
- (c) The tree is determined to exhibit a hazardous growth habit.
- (d) The tree is interfering with utility service in such a manner that full restoration or maintenance of service requires removal of the tree.
- (e) The tree encroaches in the public right-of-way so as to cause damage to improvements within the public right-of-way such as street pavement and sidewalks.

- (f) The tree is causing structural damage that includes, but is not limited to, foundations, water lines and sewer lines.
- (g) The basal flare of the tree is within 10 feet of an existing building footprint.
- (h) An existing building footprint lies within the drip line of the tree.
- (i) Trees that have been maintained in the applicant's property for the purpose of growing fruit which are no longer bearing fruit or have suffered a significant reduction in fruit bearing.
- (j) Removal of trees is being done for thinning purposes to enhance the health of other trees.
- (k) ~~In the absence of denial criteria listed below, R~~emoval is for the owner's landscape improvement but does not jeopardize the aesthetics of the neighborhood.
- (l) The removal would allow solar access for an otherwise extremely shaded property.

2. ~~If criteria 8.630.1.(k) or (l) are the only reasons for tree removal, the tree is healthy and of sound structure, and any of the following criteria is met, the permit shall be denied: Any of the following criteria shall be considered as aspects likely to warrant denial of a tree removal permit:~~

- (a) The tree is visually prominent.
- ~~(b) The tree is generally healthy and of sound structure.~~
- ~~(c)~~ (eb) The tree is of significant size.
- ~~(d)~~ (ec) The tree is part of a larger grove or grouping of trees, and its removal will adversely affect the health and safety of the remaining trees within the grove or grouping.
- ~~(e)~~ (ed) The tree is on land that is sloped, and removal of the tree may exacerbate erosion or soil slumping in the vicinity of the tree.
- ~~(f)~~ (ee) The tree acts as a privacy barrier for adjacent properties.
- ~~(g)~~ (ef) Tree removal is solely to improve a view.

B. The City shall deny a tree removal permit if any of the following criteria is met:

1. The tree is designated by the City of West Linn as a heritage tree, unless one of the criteria in subsections (A)(1)(a) through (d) of this section applies and the hearing is followed, as noted in Section [8.710](#).

2. The tree is located within an open space drainageway, drainageway transition area, wetland, wetland transition area, Willamette River Greenway area, or Tualatin River protection zone as defined by the West Linn Community Development Code, unless one of the criteria in subsections (1)(a) through (d) of this section apply.

3. The tree is protected by an existing tree conservation easement, unless criterion in subsections (1)(a) through (d) of this section apply.

C. [Except as otherwise required by this code, it is](#) encouraged, but not mandated, that the property owner replace a tree that is removed ~~except street trees and other trees that were required to be planted or preserved by the Code require one replacement tree for each tree approved for removal.~~

[Section 8.630 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.630 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.640 Appeal.

Any decision of the City Arborist regarding a tree removal permit may be appealed, [unless expressly prohibited in this code](#), to the ~~Hearings Officer pursuant to the administrative appeals process in Section 1.400 et seq. In addition to the notice requirements in Section 1.410(2)(b), City Manager.~~ The written notice of appeal shall include a statement from the appellant listing the errors the appellant believes the City Arborist has made in issuing the decision. [A notice of tree removal permit appeal shall be filed on a City application form and include applicable fees specified in the Master Fees and Charges Document.](#)

[Section 8.640 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.640 amended by Ordinance No. [1542](#), adopted 11-27-2006; amended by Ordinance No. [1621](#), adopted 04-21-14.]

8.650 Time Limits.

If the City Arborist does not issue a decision within 20 business days from the submittal of a complete tree ~~cutting removal permit~~ application, or ~~the City Council does not consider~~ an appeal ~~is not scheduled for hearing within thirty calendar days after the appeal was filed of the City Manager's decision within 30 business days of the filing of such appeal~~, the permit shall be deemed to be approved.

An approved tree ~~_~~removal permit shall be valid for 12 months from the date of issuance.

[Section 8.650 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.650 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.710 Heritage Trees.

1. Heritage trees shall be those trees designated by the City Council following review of a nomination form submitted by a citizen and accepted, in writing, by the property owner. If a proposed Heritage Tree is on private property, the property owner must give written consent to the Heritage Tree Application before such application can proceed. ~~The written consent of the property owner shall include provisions for the City to have reasonable access to the tree for maintenance and such necessary pruning as is required at the City's discretion.~~ It shall also be expressly understood that the Heritage Tree designation, once approved by the City Council, shall be an encumbrance on the property containing the heritage tree and shall be listed as a deed restriction. ~~Such legal costs associated with this provision shall the recording of the deed restriction will~~ be borne by the City.

2. The following criteria shall be used:

Minimum circumference at five feet above ground level = point value 5

Rapid growing (Douglas Fir, Giant Sequoia, etc.) – 138"

Moderate growing (Oregon White Oak, Scarlet Oak) – 107"

Slow and smaller growing (Ginkgo, Madrone) – 86"

Location factor point values:

- 6 Commercial areas
- 5 Yard adjacent to street
- 4 Side yard
- 3 Wooded lot within subdivision
- 1 Forested area

Condition factor point values:

- 5 Excellent – perfect form, little or no dead wood, all limbs have good attachments, no sign of decay
- 4 Very good – good form, multi-leaders, but with good attachments, 10% or less large dead wood
- 2 Good – unbalanced or incomplete crown, tight limb angles, 15% – 20% larger dead wood

- 1 Poor – evidence of some decay, 20%
– 30% larger dead wood, history of
being topped
- 0 Very poor – structurally unsound,
extensive decay, dieback, poor form,
unbalanced or greatly reduced
crown.

Historical factor is determined by the tree’s relative historic significance. Historic significance may be determined by the tree’s association with historic or famous events, the cultural history of the nation, State, community or person or persons who have significantly contributed to the history of the nation, state or community. Local historians may be called upon for research assistance for this category. Point values:

- 5 Very significant
- 4 Significant
- 3 Somewhat significant
- 2 Marginally significant
- 1 Not significant

Formula: size x location x condition x historical factor = heritage tree points

Trees shall accumulate a minimum of 180 points to receive consideration as a heritage tree.

3. Upon a tree being designated as a Heritage Tree, a plaque so designating may be placed upon or near said tree. ~~It shall become the obligation of the Parks and Recreation Department to maintain such tree.~~

4. The responsibility for the maintenance of a Heritage Tree is as follows:

a. ~~It shall become~~ is the obligation of the Parks and Recreation Department to maintain ~~such tree~~ a Heritage Tree located on public property or in the public right of way.

b. It is the obligation of the Parks and Recreation Department to maintain a Heritage Tree located on private property if such tree was designated before September 8, 2025, except if the property owner agrees in writing to the maintenance obligation established in subsection c of this section.

c. It is the obligation of the property owner to maintain a Heritage Tree on private property if such Heritage Tree is designated on or after September 8, 2025. Excessive Pruning of such Heritage Tree shall be performed by a Certified Arborist.

5. A Heritage Tree may not be removed without a public hearing at least 30 days prior to the proposed date of removal. Criteria that may be considered by the Council includes but is not

limited to whether a Certified Arborist has concluded that the Heritage Tree is dead, dying, or is deemed a hazard.

~~4. This section is intended to give, and does hereby give full and complete authority to the City Manager over any and all heritage trees in the City upon written consent of private property owners.~~

[Section 8.710 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.710 amended by Ordinance No. 1542, adopted November 27, 2006.]

8.720 Street Trees.

A. Street Tree Plan and List of Trees. Street trees shall not fall under the definition of tree as provided in the definition portion of this ~~ordinance~~code.

1. It is in the best interest of the City that a Street Tree Plan be developed and established for the planting, maintenance and replacement of trees in and along its streets. This section is adopted for the purpose of providing for such a plan and for the establishment of regulations necessary to carry out its purpose.
2. The City ~~shall~~may prepare or cause to be prepared a Street Tree Plan for the planting and maintenance of trees in the streets of the City.
3. The Street Tree Plan should include, but shall not be limited to, a series of maps of City streets upon which is designated a scheme for the planting of trees and the designation of streets for certain types of trees. Such maps shall show the interval between existing trees and the approximate place where each new tree is to be planted.
4. A survey of the street trees presently existing in the City and their condition may be taken.
5. Approval and amendments of the Street Tree Plan shall be based on consideration of the following criteria:
 - a. Existing and planned street width.
 - b. Existing and planned utilities.
 - c. Pedestrian and vehicular traffic.
 - d. Proposed trees are included in the City Arborist's listing of approved species.
6. The City Arborist shall maintain a list of approved varieties of trees that may be planted on any street within the City in accordance with the Street Tree Plan. Approval shall be based upon considerations such as maturity, height, susceptibility to disease or pests, ~~reasonable expected~~

~~freedom from nuisance characteristics~~ and general suitability for any particular locations. The City Arborist's listing of approved varieties shall not prevent the seeking of approval of unlisted varieties.

B. Funding.

1. A separate account ~~shall~~may be established and maintained for revenues and expenditures created by the street tree program.
2. ~~Property owners of new developments will~~may be required to pay a set amount per street tree in new developments. The money collected will be used by the City to purchase and install street trees and the amount will be based on the current price of 1.75 inch caliper nursery stock installed to City standards. The number of trees in new developments will be set at two per lot, and four for corner lots, for single family homes, with a minimum 1.5 inch caliper, installed to City standards. For multi-family housing and commercial developments the number of trees will be based on linear feet of street frontage with one tree per 25-40 feet of frontage. If this requirement is found to conflict with CDC tree requirements, the CDC shall govern.

C. Planting of Street Trees.

1. The City may plant street trees along the streets of the City in accordance with ~~the a~~ Street Tree Plan or approved development plan ~~in accordance with the CDC.~~
2. ~~It shall be unlawful for any person to plant or set out any tree or authorize or cause or procure any person to plant or set out any tree in or upon any part of any street or public right-of-way without:~~
 - a. ~~Obtaining from the City Arborist a written permit to do so; and;~~
 - b. ~~Complying in all respects with the conditions set forth in such written permit and with the provisions of this ordinance.~~
32. All applications for ~~such a street tree planting~~ permit ~~for existing development~~ shall describe work to be done and the variety, size and precise location of each tree to be planted. Street tree planting for new development is governed by the Community Development Code. Upon review of the application:
 - a. If the City Arborist has found that the proposed planting is in accord with ~~the a~~ Street Tree Plan, the City Arborist shall grant a permit, and the trees shall become part of the City's street tree inventory.

b. If the City Arborist finds that the proposed planting is not in accord with ~~the a~~ Street Tree Plan, but that the trees proposed to be planted have a reasonable likelihood of prospering and the application specifies the location, variety and grade of each tree and method of planting, including among other things, the supplying of suitable soil, then the City Arborist may grant a permit, and the tree shall become part of the City's street tree inventory.

4. The permit shall be good ~~only for the planting season stated~~ up to 90 days from the date of issuance.

5. All street trees shall be planted in accordance with specifications in the Tree Technical Manual.

D. Protection of Street Trees.

1. It shall be unlawful for any person to attach or keep attached to any tree in or upon any public street or to the guard or stake intended for the protection of such tree, any ropes, wires, chains, or other device whatsoever, except that the same may be attached to any tree as support or protection thereof.

2. During the erection, repair, alteration or removal of any buildings or structure, it shall be unlawful for the person in charge of such erection, repair, alteration or removal to leave any tree in or upon any street in the vicinity of such building or structure without a good and sufficient guard or protector as to prevent injury to such tree arising out of, or by reason of such erection, repair, alteration or removal. See West Linn Tree Technical Manual for details regarding tree protection during construction.

E. Permit Requirements and Conditions.

The City maintains sole authority over the planting, pruning and removal of all trees and foliage on City property, including, but not limited to, street trees in the City's Right of Way. Private individuals shall only be allowed to prune, remove or plant any tree on City property, including the Right of Way, with express written permission of the City. However, such small scale and minor pruning of street trees in the City's right of way directly abutting private property shall be done by that property owner to maintain minimum sidewalk and road clearance as described in Section 8.720.F. Any such minor pruning shall only be deemed exempt from this permitting provided that it is the minimum reasonable amount necessary to achieve the clearance minima.

Should a citizen so desire, a request can be made to the City to have a City tree removed. The request will be reviewed, utilizing the guidelines for tree removal as presented herein in section 8.630. Minimum size thresholds shall not apply for street trees.

F. Maintenance.

1. It shall be the responsibility of the property owner adjacent to any street tree to maintain the tree according to the tree maintenance standards detailed in the City's Tree Technical Manual. Maintenance includes replacement of trees that are dead, or in need of replacement due to injury, disease, etc. ~~A fee may be paid to the City in lieu of replacement. In this case the City shall replace the tree at the time of its regular scheduled street tree plantings.~~
2. All street trees must be pruned ~~to ISA Pruning Standards for Shade Trees~~ in a manner that is consistent with the most recent version of the ANSI A300 pruning standards and corresponding ISA Best Management Practices. See pruning guidelines in Tree Technical Manual for details.
3. Street trees having branches projecting into the street or sidewalk shall be pruned by the owners of the property adjacent to where the trees are growing and shall be done according to the requirements for tree branch clearance over street and sidewalk areas, and signs as set forth in this ordinance code.
4. Limbs of trees may be allowed to project over the sidewalk area at an elevation of not less than 7 1/2 feet above the sidewalk level, and over the street area at an elevation of not less than 10 feet above the street level. However, on any street designated as an arterial and where parking has been prohibited, limbs of trees shall be pruned to a height of not less than 13 feet above the street level. Trees, which are not trimmed so as to meet the above specifications, shall be deemed to present an unreasonable risk of harm to persons or property.
5. The City may cause to be pruned and maintained, all of the trees within the City street right-of-way.
6. A private utility maintaining its utility system in a street may prune or cause to be pruned in accordance with the terms and conditions of their franchise agreement with the City.
7. It shall be unlawful for any person, firm, or City department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted by the City Arborist.

[Section 8.720 added by Ordinance No. 1503, adopted 05-05-2004; Section 8.720 amended by Ordinance No. 1542, adopted 11-27-2006.]

8.730 Emergency Permit Process.

(1) The City Manager or designee shall have the authority to issue an emergency tree-removal permit if the condition of the tree presents an immediate danger of collapse, and/or represents a clear and present hazard to persons or property.

For purposes of this section, a hazardous growth habit which will likely result in failure of the tree prior to consideration of the permit through the normal process means that the tree is already leaning, with the surrounding soil heaving, or showing other clear signs of imminent failure, and that the problem cannot be resolved through pruning, trimming, or other preventive maintenance.

(2) An emergency tree-removal permit shall not require mailed or posted notice.

(3) An emergency tree-removal permit denial may not be appealed to the City Council.

(4) If the City Manager denies an emergency tree-removal permit, the applicant may apply for a tree-removal permit through the standard process.

(5) A property owner may remove a tree which they have determined is in imminent danger of falling and/or posing a threat to life and/or property prior to the ability of the City to consider issuing an emergency tree removal permit (e.g., on a weekend day). In such cases, within five business days of the tree's removal, the property owner shall provide written and photographic documentation of the condition of the tree prior to removal. If the City Manager does not agree with the property owner's decision, the property owner may be subject to enforcement and mitigation action pursuant to Section [8.740](#).

(6) Any officer of the Police Department or the Fire District may also require removal of a tree if, in the judgment of the officer during the performance of their public duties, the tree is in a hazardous or dangerous condition threatening life and/or property.

[Section 8.730 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.730 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.740 Non-Compliance, Penalty, and Enforcement.

Any violation of the terms of Sections [8.500](#) to [8.798](#) is a Class A violation. Each tree involved in the violation constitutes a separate offense. In addition, the city attorney shall institute any necessary legal proceedings to enforce the provision of this section. These rights shall be in addition to any other remedies allowed by law. Upon discovery of a violation, the City shall notify the violator of the alleged violation and of the procedures and potential penalties associated with said violations.

The City Manager shall make a determination of whether the violation was knowing, willful and intentional on the part of the violator. If the City Manager determines that there is ample reason to believe that the violation was accidental or unintentional, the violator shall be

permitted the opportunity to mitigate the violation through voluntary compliance process as found in subsection (1) of this section. Intentional violators shall be subject to penalties as listed on subsection (2) of this section as well as the tree replacement requirements of subsection (1)(a) of this section. Fines and penalties shall be submitted to the West Linn Municipal Court pursuant to the rules and procedures and authority of the Municipal Court to assess fines and other penalties for violation of the West Linn Municipal Code.

(1) Voluntary Compliance Process. A voluntary compliance agreement shall contain the following:

(a) A commitment by the violator to submit and carry out a tree replacement program that is approved by the City Manager. The agreement shall require at minimum the planting of replacement trees at a 1:1 inch per inch (~~circumferencedbh~~) ratio to the trees removed illegally. The size and quality of the mitigation nursery stock shall be approved by the City. If the applicant's property is deemed inadequate in size to accommodate the replacement trees, then a fee may be paid into the Tree Canopy Replacement Fund at the minimum rate for installation of a 1.75 inch caliper tree to City standards.

(b) Payment of a fee deposit, calculated based upon anticipated staff time devoted to investigation of the violation and review and approval of the voluntary compliance agreement and related compliance inspections. The actual staff time shall be tracked and charged against the fee deposit. At the conclusion of the process, any unused funds in the deposit shall be refunded. If the deposit funds run out prior to completion of the voluntary compliance process, the violator shall pay an additional deposit calculated as necessary to complete the process. If the violator does not pay such an additional deposit, the voluntary compliance process shall be terminated and the City Manager shall initiate enforcement action against the violator.

(c) Trees that have been planted as part of a mitigation planting will not be covered by the minimum thresholds for trees requiring a permit for removal.

(2) Penalties. Any person, firm, or corporation causing the illegal removal of a tree who does not enter into a voluntary compliance agreement may upon conviction be fined a sum not to exceed the equivalent of three times the appraised value of the tree based on the latest revision of the [Guide for Plant Appraisal by the Council of Tree and Landscape Appraisers](#) evaluation method plus cost of prosecution including attorney's fees for each tree removed, but in any case an amount not less than \$500.00.

(3) Suspension/Revocation of Tree Permit. The City Arborist may, in writing, suspend or revoke a tree permit issued under the provisions of this code whenever the permit is issued in error on the basis of incorrect information supplied, or if its issuance (or activity thereunder) is in violation of any code or regulation of any other provisions of the City code. Suspensions or revocations may be appealed under section 8.640.

[Section 8.740 added by Ordinance No. 1503, adopted 05-05-2004; Section 8.740 amended by Ordinance No. 1542, adopted 11-27-2006; amended by Ordinance No. 1621, adopted 04-21-14.]

8.745 Tree-Topping Prohibited.

[Section 8.745 added by Ordinance No. 1503, adopted 05-05-2004; Section 8.745 deleted by Ordinance No. 1542, adopted 11-27-2006.]

8.750 Abatement.

~~(1) The following trees are nuisances and are subject to abatement under Chapter 5 of the Municipal Code:~~

~~a. Hazard trees;~~

~~b. Trees infested with a disease or invasive insects, that in the opinion of the City Arborist, could lead to decline or spread of disease to other trees in the City;~~

~~c. Any tree located in the street right-of-way, or which encroaches from private property into the street right-of-way because of age, disease or other debilitating cause, death, insecure root system, or any other condition which, in the opinion of the City, causes its continued existence to be detrimental to the public interest; and~~

~~d. Any tree that is otherwise, in the opinion of the City Arborist, an imminent hazard to persons or property.~~

~~(1) When any tree located on private property is dead (and deemed to create a hazard) or infested with a disease or insects or is, in the opinion of the City Arborist, infectious and may spread such disease or insects to other trees in the City or otherwise an imminent hazard to persons or property, the City may remove or treat the tree or cause same to be removed or treated. Such removal or treatment shall be the responsibility of the property owner.~~

~~(2) The City may abate or remove, or cause to be abated or removed, any tree located in the street right-of-way, or which encroaches from private property into the street right-of-way because of age, disease or other debilitating cause, death, insecure root system, or any other condition which, in the opinion of the City, causes its continued existence to be detrimental to the public interest.~~

~~(34) If sections of this code the Community Tree Ordinance impose an undue hardship on an individual property owner, assistance by a grant-in-aid may be available through the City Manager's office pursuant to the City's Grant-In-Aid Policy.~~

[Section 8.750 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.750 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.760 Tree Canopy Replacement Account.

(1) An account shall be established and maintained for various tree related revenues and expenditures.

Sources of revenue for this account include the following:

- (a) Fees paid as part of voluntary compliance mitigation.
- (b) Fees paid as part of development mitigation [as may be required by the CDC](#).
- (c) Fines paid for noncompliance.
- (d) Gifts received by the City for the purpose of tree canopy replacement.

(2) Expenditures for this account may include but are not limited to the following:

- (a) New tree installations on City property.
- (b) Natural area restorations on City property.
- (c) Street tree replacement programs.
- (d) New street tree installations in older neighborhoods.

[Section 8.760 added by Ordinance No. [1542](#), adopted 11-27-2006.]

8.795 Fees/Classification of Fees and Costs.

Fees shall be ~~established specified in the Master Fees and Charges Document by Ordinance of the City Council and may be amended from time to time~~. The City Council determines that the fees and costs imposed by this ~~ordinance code~~ are not a tax subject to the property tax limitations of Article XI, Section 11(b) of the Oregon Constitution.

[Section 8.795 added by Ordinance No. [1503](#), adopted 05-05-2004.]

8.797 Disclaimer of Liability.

Nothing contained in Section [8.500](#) to [8.798](#) shall be deemed to impose any liability upon the City, its officers or employees, or to relieve the owner of any private property from the duty to keep any tree, shrub or plant on his or her property or under his or her control in such

condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any public right-of-way, park, or public place within the City.

[Section 8.797 added by Ordinance No. [1503](#), adopted 05-05-2004.]

8.798 General Provisions.

If any provision or any portion thereof contained in this article is held to be unconstitutional, invalid or unenforceable, the remainder of this article, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

[Section 8.798 added by Ordinance No. [1503](#), adopted 05-05-2004.]

Agenda Bill 2025-09-08-05

Date Prepared: September 2, 2025

For Meeting Date: September 8, 2025

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JW*

From: Dylan Digby, Assistant to the City Manager *DD*

Subject: Community Advisory Group Workplans (part 2)

Purpose:

To propose workplans for each community advisory group (CAG) for Council review, discussion, and approval.

Question(s) for Council:

Do these workplans contain the proper action items for each of Council's community advisory groups to focus on in the coming biennium?

Public Hearing Required:

None required

Background & Discussion:

Council approved workplans for seven community advisory groups on August 4, 2025. These are the remaining four community advisory workgroup plans for Council review, discussion, edits and approval.

At the 2025 Council Retreat a Council Priority to "Clarify Community Advisory Group Work Programs" was established. As part of this work Council provided direction to create workplans for each CAG as outlined in the Municipal code to ensure groups are providing Council with the recommendations and support they need to further the Council and community's priorities. Proposed workplans were drafted in coordination with staff liaisons, Council liaisons, and CAG chairs/co-chairs. The Council's 2025-27 Priorities were used as the guiding document for this work, but CAG annual reports, CAG interests, and current issues were also considered.

Budget Impact:

Most community advisory group projects do not contain a direct budget, though significant staff and CAG member time and resources are allotted. Any items with a direct budgetary impact should be clearly approved by the Council with a budget amount.

Sustainability Impact:

Many of the workplan items contain sustainability elements.

Council Options:

Review, edit, and approve workplans for each CAG.

Staff Recommendation:

Staff recommends considering the limited budget and staff resources we have available to do work outside our regular job duties and to focus on projects in line with Council priorities with the highest positive impact to the community.

Potential Motion:

I move to approve the community advisory group workplans as provided (or edited) for the <list CAG groups>

Attachments:

1. Economic Development Committee Workplan
2. Historic Review Board Workplan
3. Transportation Advisory Board Workplan
4. Utility Advisory Board Workplan

MEMORANDUM

Date: August 1, 2025
To: West Linn Economic Development Committee
From: Rory Bialostosky, Mayor
Subject: Economic Development Committee 2025-27 Priorities and Work Plan

As part of our effort to maintain greater communication with our community advisory boards, the City Council would like to share with you the Council Priorities for 2025-27 (attached) that align with a work plan we are providing to each of the community advisory groups. Council wants to ensure that limited City and volunteer resources remained focused on the primary goals of the Council and delivering quality core municipal services. The City's Municipal Code section 2.020(2) provides these workplans as a way for Council to provide direction and focused alignment on the city's priorities. We believe these work plans are a positive step in this direction and hope that you find it helpful in your efforts in influencing policy for the City.

We also want to take time to emphasize our overarching goal of belonging and reaching out to the community. Community advisory groups are a key part of connecting with our community and we greatly value the role you play in this. We hope the Economic Development Committee continues to find new ways to engage and involve a broad range of community members in the important work that you do and considers ensuring belonging and inclusivity in all the work that you do.

Based on your annual report we received from your group and in furtherance of the Council's adopted Priorities, the Council would like the Economic Development Committee to focus attention on the following work this biennium:

1. **Vision Statement:** Update the vision statement for the EDC
1. **Consultant:** Partner with the Chamber of Commerce to participate in research to determine successful programs that will support existing businesses and bring additional businesses to West Linn
2. **Waterfront/Vision43:** Provide recommendations on the Waterfront Vision and Vision43 Plans as requested by consultant team*
3. **Community Engagement & Belonging:** Work to improve diversity, equity, inclusivity and belonging in the community and consider recommendations and actions through an equity lens*
**denotes a direct 2025-27 Council Priority*

If something arises during the year that you believe necessitates a change to this work plan, please feel free to have your chair forward your request to the Council in writing for our consideration and we will provide you with feedback. CAGs may request funding or sponsorship for events, activities, or programs not specifically listed in this workplan through their Council liaison or by providing a request in writing.

As always, a heartfelt thank you for your dedicated service to West Linn,

Mayor Bialostosky

MEMORANDUM

Date: August 1, 2025
To: West Linn Historic Review Board
From: Rory Bialostosky, Mayor
Subject: Historic Review Board 2025-27 Priorities and Work Plan

As part of our effort to maintain greater communication with our community advisory boards, the City Council would like to share with you the Council Priorities for 2025-27 (attached) that align with a work plan we are providing to each of the community advisory groups. Council wants to ensure that limited City and volunteer resources remained focused on the primary goals of the Council and delivering quality core municipal services. The City's Municipal Code section 2.020(2) provides these workplans as a way for Council to provide direction and focused alignment on the city's priorities. We believe these work plans are a positive step in this direction and hope that you find it helpful in your efforts in influencing policy for the City.

We also want to take time to emphasize our overarching goal of belonging and reaching out to the community. Community advisory groups are a key part of connecting with our community and we greatly value the role you play in this. We hope the HRB to find new ways to engage and involve a broad range of community members in the important work that you do and considers ensuring belonging and inclusivity in all the work that you do.

The mission of the Historic Review Board is to identify, preserve, and protect the integrity of West Linn historic resources.

Based on your annual report we received from your group and in furtherance of the Council's adopted Priorities, the Council would like the HRB to focus attention on the following work this year:

- 1. Review Historic Land Use Applications**
Evaluate historic land use planning applications as needed, in accordance with Chapters 25 and 58 of the West Linn Community Development Code.
- 2. Fulfill Duties of a Historic Landmarks Commission as required by the City's 2007 Certified Local**
including providing meaningful public participation for all nominations to the National Register of Historic Places originating within the City and making recommendations to the Oregon State Advisory Committee on Historic Preservation.
- 3. Guide and review the Historic Home Evaluation of the Robinwood Neighborhood.**
- 4. Provide support for documenting the West Linn Paper Mill history** by assisting organizations and stakeholders to collect historical information, records, and photographs.
- 5. Identify Historic Preservation Projects and Grant Opportunities**
Identify potential historic preservation projects and relevant grant opportunities for consideration by the City Council.

6. Advise on Wayfinding and Branding Initiatives

Provide recommendations to the City Council on the City's wayfinding and branding initiative, with a focus on enhancing connections between historic landmarks and integrating local historic narratives.

7. Support Waterfront and Vision43 Planning Efforts

8. Work to improve diversity, equity, inclusivity and belonging in the community and consider recommendations and actions through an equity lens*

*denotes a direct 2025-27 Council Priority

If something arises during the year that you believe necessitates a change to this work plan, please feel free to have your chair forward your request to the Council in writing for our consideration and we will provide you with feedback. CAGs may request funding or sponsorship for events, activities, or programs not specifically listed in this workplan through their Council liaison or by providing a request in writing.

As always, a heartfelt thank you for your dedicated service to West Linn,

Mayor Bialostosky

MEMORANDUM

Date: September 2, 2025
To: West Linn Transportation Advisory Board
From: Rory Bialostosky, Mayor
Subject: Transportation Advisory Board 2025-27 Priorities and Work Plan

As part of our effort to maintain greater communication with our community advisory boards, the City Council would like to share with you the Council Priorities for 2025-27 (attached) that align with a work plan we are providing to each of the community advisory groups. Council wants to ensure that limited City and volunteer resources remained focused on the primary goals of the Council and delivering quality core municipal services. The City's Municipal Code section 2.020(2) provides these workplans as a way for Council to provide direction and focused alignment on the city's priorities. We believe these work plans are a positive step in this direction and hope that you find it helpful in your efforts in influencing policy for the City.

We also want to take time to emphasize our overarching goal of belonging and reaching out to the community. Community advisory groups are a key part of connecting with our community and we greatly value the role you play in this. We hope the Transportation Advisory Board continues to find new ways to engage and involve a broad range of community members in the important work that you do and considers ensuring belonging and inclusivity in all the work that you do.

Based on your annual report we received from your group and in furtherance of the Council's adopted Priorities, the Council would like the Transportation Advisory Board to focus attention on the following work this biennium:

1. **Traffic Safety:** Review staff recommendations on West Linn pedestrian and traffic safety needs and potential funding sources, provide recommendation to Council*
2. **Transportation System Plan (TSP):** Review 2016 TSP goals and objectives to identify future transportation projects.
3. **Waterfront/Vision43:** Provide recommendations on the Waterfront Vision and Vision43 Plans as requested by consultant team*
4. **Advocate in coordination with Council for:**
 - a. Transit improvements within West Linn, as well as connections to area transit providers. Consider senior, teen, worker, tolling diversion, and last mile services*
 - b. Repairs and more significant improvements to Highway 43 and investigate the possibility of transfer along with improvements*
5. **Community Engagement & Belonging:** Work to improve diversity, equity, inclusivity and belonging in the community and consider recommendations and actions through an equity lens*

**denotes a direct 2025-27 Council Priority*

If something arises during the year that you believe necessitates a change to this work plan, please feel free to have your chair forward your request to the Council in writing for our consideration and we will provide you with feedback. CAGs may request funding or sponsorship for events, activities, or programs not specifically listed in this workplan through their Council liaison or by providing a request in writing.

As always, a heartfelt thank you for your dedicated service to West Linn,

Mayor Bialostosky

MEMORANDUM

Date: August 1, 2025
To: West Linn Utility Advisory Board
From: Rory Bialostosky, Mayor
Subject: Utility Advisory Board 2025-27 Priorities and Work Plan

As part of our effort to maintain greater communication with our community advisory boards, the City Council would like to share with you the Council Priorities for 2025-27 (attached) that align with a work plan we are providing to each of the community advisory groups. Council wants to ensure that limited City and volunteer resources remained focused on the primary goals of the Council and delivering quality core municipal services. The City's Municipal Code section 2.020(2) provides these workplans as a way for Council to provide direction and focused alignment on the city's priorities. We believe these work plans are a positive step in this direction and hope that you find it helpful in your efforts in influencing policy for the City.

We also want to take time to emphasize our overarching goal of belonging and reaching out to the community. Community advisory groups are a key part of connecting with our community and we greatly value the role you play in this. We hope the Utility Advisory Board continues to find new ways to engage and involve a broad range of community members in the important work that you do and considers ensuring belonging and inclusivity in all the work that you do.

Based on your annual report we received from your group and in furtherance of the Council's adopted Priorities, the Council would like the Utility Advisory Board to focus attention on the following biennium:

1. **Water System Needs:** Review water system needs against funding resources following adoption of the 2024 Water Master Plan and recommend any needed funding changes to Council*
 - a. Include consideration of rates with new Operations Building*
 - b. Conduct a water and sewer rate study to help identify optimal rates
 - c. Assist with community outreach if increased water and sewer rates are necessary
2. **Conservation pricing:** Consider conservation pricing options and make recommendations to Council (UAB to lead process and involve SAB)*
3. **Waterfront/Vision43:** Provide recommendations on the Waterfront Vision and Vision43 Plans as requested by consultant team*
4. **Community Engagement & Belonging:** Work to improve diversity, equity, inclusivity and belonging in the community and consider recommendations and actions through an equity lens*

**denotes a direct 2025-27 Council Priority*

If something arises during the year that you believe necessitates a change to this work plan, please feel free to have your chair forward your request to the Council in writing for our consideration and we will provide you with feedback. CAGs may request funding or sponsorship for events, activities, or programs not specifically listed in this workplan through their Council liaison or by providing a request in writing.

As always, a heartfelt thank you for your dedicated service to West Linn,

Mayor Bialostosky

Mollusky, Kathy

From: James Jensen [REDACTED]
Sent: Monday, September 8, 2025 11:31 AM
To: City Council
Cc: Bob Goyette; Tom Loun; [REDACTED]
Subject: Comments Concerning Future of Oppenlander Field

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from an External source. Do not click links, open attachments, or follow instructions from this sender unless you recognize the sender and know the content is safe. If you are unsure, please contact the Help Desk immediately for further assistance.

Council Members –

The West Linn Lions Club was Chartered for operation by Lions Clubs International in April 1953. We have partnered with and supported our city government on multiple occasions. We have funded and built multiple facilities for the West Linn community, including the Hammerle and Willamette Parks shelters and the Willamette Park beer garden stage. After we began operations later in the 1950s, we built a facility in Oppenlander Field to house our Lionburger wagon and associated supplies/equipment. For many years, that building was the hub for all of activities in support of the West Linn community. In 2014, we expanded the facility to house an additional burger wagon and equipment trailer and provide additional storage for our supplies and refrigerators. This addition greatly expanded and better facilitated our support of the community.

We have followed the sale of Oppenlander field, the purchase by Icon Construction, and the plans for Icon to offer some amount of acreage at Oppenlander to the City where the large baseball field will be moved. We have heard no discussion of what will happen to the existing buildings and fields but must assume that they will be removed. Losing the facilities at Oppenlander will be a blow to our current operations to support the West Linn community through the sales of our Lionburgers that generate funds to be distributed as grants to West Linn organizations such as WLHS groups, HELP, BeSmart, WL Food Pantry, and other deserving non-profit organizations.

As you deliberate the future of the City's involvement with Oppenlander field at your council meeting on Sep. 8, 2025, we ask that you consider our desire to maintain a facility at the field to house our equipment and allow us to continue our support of the community. Oppenlander provides us with a centralized location to serve all areas of the city. We would like to have discussions with the City and/or Icon Construction to plan for how that can be achieved. We have a history at Oppenlander spanning over 65 years that we would like to maintain.

Respectfully Submitted,
Lion Bob Goyette –President
Lion Jim Jensen – Past President
Lion Tom Loun – Past President
Lion Harlan Geigle – Secretary and Lionburger Committee Chairman