



CITY OF MILWAUKIE  
**COUNCIL RESOLUTION No. 62-2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, REVISING FEES AND CHARGES AS SHOWN IN ATTACHMENT 1 AND UPDATING THE MASTER FEE SCHEDULE OF THE CITY OF MILWAUKIE FOR FISCAL YEAR 2018.**

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

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

**WHEREAS**, Milwaukie advisory boards, commissions 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 from advisory boards, commissions, committees, and City staff and has determined the cost of such fees and charges; and

**Now, Therefore, be it Resolved that:**

- Section 1. The City of Milwaukie "Fees" document included as Attachment A to this resolution is hereby adopted.
- Section 2. The resolution supersedes previously adopted fee resolutions, clerical errors and omissions excepted.

Introduced and adopted by the City Council on 6/20/17.

This resolution is effective on 6/20/17.

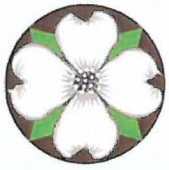
Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:  
 Jordan Ramis PC

Scott S. Stauffer, City Recorder

City Attorney



**CITY OF MILWAUKIE**



# **MASTER FEE SCHEDULE**

**FY 2018**



## City of Milwaukie, Oregon

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The City of Milwaukie provides a full range of municipal services to the community, including police protection, traffic control and improvement, street maintenance and improvement, water, wastewater, and surfacewater management services, planning and zoning regulation, building inspection and regulation, and community library services. This Master Fee 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.

## Fee Variance and Waiver Statement

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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 or establish a fee not yet authorized in this schedule. When a new fee is established by the City Manager it shall be incorporated into this document, and it shall be included and specified during the next update to this document.

A waiver or reduction request must be in writing and communicated to Council to allow opportunity for comment. If the City Manager or his designee agrees to said waiver or reduction, he/she shall inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$1,000 or less).

## Effective Dates and Resolutions

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The FY 2018 Master Fees Schedule fees are effective as of July 1, 2017 with the adoption of resolution #R62-2017, adopted by City Council on June 20, 2017, unless otherwise noted.

## Table of Contents

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<b>1. ADMINISTRATION</b>	<b>1</b>
<b>2. BUILDING</b>	<b>3</b>
<b>3. BUSINESS REGISTRATION</b>	<b>10</b>
<b>4. DOWNTOWN PARKING</b>	<b>11</b>
<b>5. ENGINEERING</b>	<b>12</b>
<b>6. FEES IN LIEU OF CONSTRUCTION (FILOC)</b>	<b>14</b>
<b>7. LIBRARY</b>	<b>15</b>
<b>8. MISCELLANEOUS</b>	<b>16</b>
<b>9. MUNICIPAL COURT</b>	<b>17</b>
<b>10. PLANNING</b>	<b>19</b>
<b>11. POLICE</b>	<b>23</b>
<b>12. SYSTEMS DEVELOPMENT CHARGES &amp; CONSTRUCTION EXCISE TAXES</b>	<b>24</b>
<b>13. UTILITIES</b>	<b>27</b>
<b>14. UTILITY RIGHTS-OF-WAY USAGE FEES</b>	<b>30</b>
<b>15. VIOLATIONS OF THE MUNICIPAL CODE</b>	<b>31</b>

## 1. ADMINISTRATION

### a. Billable Hourly Rates

Unless otherwise specified, the City employee billable hourly rate shall be calculated as 2.5 times step 4 of the employee's job classification, 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, and police services. The use of a multiplier of 2.5 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 as the calculated hourly rate multiplied by 125 percent. The City Manager and/or department directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

<b>Department</b>	<b><u>Hourly Rate</u></b>
<b>Community Development and Public Works Administration</b>	
Community Development Director	\$ 140
Right of Way Coordinator	80
Administrative Supervisor	70
Administrative Specialist III	65
Administrative Specialist II	60
<b>Engineering</b>	
Engineering Director	125
Civil Engineer	95
Associate Engineer	80
Engineering Technician	70
Engineering Intern	45
<b>Planning</b>	
Planning Director	120
Senior Planner	95
Associate Planner	80
Assistant Planner	75
<b>Building</b>	
Building Official/Inspector	110
Permit Technician	65

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**Billable Hourly Rates, continued**

<b>Department</b>	<b>Hourly Rate</b>
<b>Operations</b>	
Public Works Director	\$ 125
Operations Supervisor	95
Facilities Maintenance Coordinator	80
Shop Foreman	80
Water Quality Coordinator	75
Asset Management Technician	70
Mechanic	65
Facilities Maintenance Technician	65
Utility Worker II	65
Utility Worker I	60
<b>Code Compliance</b>	
Code Compliance Coordinator	70
Parking Enforcement Officer	50

## 2. BUILDING

Building fees include structural, mechanical, plumbing, and electrical charges. Fees are applicable to residential, commercial, and industrial properties unless otherwise specified.

### a. Structural Permits<sup>1</sup>

Valuation shall be calculated in accordance with OAR 918-050-0100  
(Residential/Commercial/Industrial):

Permit	Base Fee	Plus each additional \$1,000 over Base Value
\$1 to \$5,000	\$ 128.14	\$ -
\$5,001 to \$25,000	128.14	13.25
\$25,001 to \$50,000	393.14	9.84
\$50,001 to \$100,000	639.14	6.62
Over \$100,000	970.14	5.60
Minimum permit fee	\$ 128.14	\$ -
<b>Permit Fee Table for New Single Family Houses &amp; New Accessory Dwelling Units Only:</b>		
\$1 to \$5,000	\$ 128.14	\$ -
\$5,001 to \$25,000	128.14	9.27
\$25,001 to \$50,000	314.68	6.89
\$50,001 to \$100,000	486.93	4.63
\$100,001 to \$170,000	718.43	3.91
Over \$170,000	1,355.13	5.60
Minimum permit fee	\$ 128.14	\$ -
<b>Stand-alone Fire Suppression Systems</b> (require a backflow device installed by licensed plumbing contractor or person exempt from licensing):		
0 sq. ft. to 2,000 sq. ft.		\$ 150.17
2,001 sq. ft. to 3,600 sq. ft.		225.51
3,600 sq. ft. to 7,200 sq. ft.		281.90
7,201 sq. ft. and greater		\$ 524.84
<b>Fire and Life Safety Plan Review Fee</b> (commercial only) <sup>2</sup>		50% of the structural permit fee
<b>Seismic Site Hazard Report Review</b> (commercial only)		1% of the structural & mechanical fees
<b>Initial Plan Review Fees</b>		75% of the permit fee
<b>Plan Review Fees Required/Requested by Changes, Additions, Revisions</b>		\$ 75/hr. (minimum one hour)
<b>Third Party Plan Review Fee</b> (for transfer of plan review to a third party)		10% of the permit fee (\$65 minimum)
<b>Residential Solar PV Installation</b>		\$ 100
<b>Investigation Fee</b>		\$ 105 per hour (minimum one hour)

<sup>1</sup> Permit fees are calculated based on the total valuation and square footage of the improvements.

<sup>2</sup> Based on valuation of total improvements or \$50.00/hr. to review a Fire and Life Safety Master Plan.

**b. Mechanical Permits****Residential:**

Fees per current Mechanical Permit Application:

**Minimum Permit Fee** \$ 139.41**HVAC – for the installation of:****Air handling unit including ducts:**

Up to 10,000 cfm 24.60

Over 10,000 cfm 27.68

Air conditioning/heat pump (site plan required) 43.06

Alteration of existing HVAC system 20.00

Boiler/compressor 20.00

**Install/relocate/replace furnace/burner including ductwork and vent:**

Up to 100,000 BTU/H 20.00

Over 100,000 BTU/H 23.58

Vent for other than furnace 20.00

Install/relocate/replace heaters  
(room, suspended, wall- or floor-mounted) 20.00**Environmental Exhaust and Ventilation – for the installation of:**

Appliance vent 16.40

Dryer exhaust 13.32

Each hood that is served by a mechanical exhaust or air conditioning 11.27

Exhaust system and single duct (bath fan) each 9.23

Exhaust system apart from heating or air conditioning 13.32

**Fuel Piping and Distribution***LPG-NG-Oil fuel piping:*

Up to 4 outlets (including gas tag) 23.58

Each additional outlet over 4 2.57

**Other Listed Application or Equipment**

Decorative fireplace or insert 37.93

Woodstove/pellet stove 50.23

For each appliance or piece of equipment regulated by the Code but not classed in another appliance category for which no other fee is listed in the Code, or for which there is an alteration or extension of an existing mechanical system. 20.00

**Plan Check Fee** 25% of the permit fee**Investigation Fee** \$ 105 per hour (minimum one hour)

**Mechanical Permits (cont.)****Commercial/Industrial:**

Valuation shall be calculated on the value of the equipment and installation costs. Use this section for commercial installation, replacement or relocation of non-portable mechanical equipment, or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.

<b>Permit Fee:</b>	<b>Base Fee</b>	<b>Plus each additional \$1,000 of BV</b>
\$1 to \$5,000	\$ 139.41	\$ -
\$5,001 to \$10,000	139.41	2.16
\$10,001 to \$100,000	247.41	16.40
Over \$100,000	1,723.41	11.15
Minimum permit fee	\$ 139.41	\$ -

<b>Plan Review Fees</b>	25% of the permit fee
<b>Plan Review Fees Required/Requested by Changes, Additions, Revisions</b>	\$ 75 per hour (minimum one hour)
<b>Investigation Fee</b>	\$ 105 per hour (minimum one hour)

**c. Plumbing Permits**

<b>Minimum Permit Fee (Residential/Commercial/Industrial)</b>	\$ 135.30
<b>Utilities per 100 feet (Residential/Commercial/Industrial)</b>	102.50
Catch basin	45.10
Drywells each	45.10
Footing drain (per 100 linear feet)	88.15
Rain drain connector	45.10
Manholes each	\$ 88.15
<b>Additions, Alterations, and Repairs (Residential/Commercial/Industrial)</b>	\$28.70/fixture

**Residential:**

Fees per current Plumbing Permit Application

**Total Bathrooms Per Dwelling**

1 bath dwelling (includes 1 kitchen)	\$ 559.28
2 bath dwelling (includes 1 kitchen)	618.06
3 bath dwelling (includes 1 kitchen)	734.05
Additional bathroom/kitchen	\$ 292.35

Includes the first 100 ft. of water piping, wastewater and stormwater lines, hose bibs, icemakers, under floor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.

**Interior Piping (per 100 linear feet)**

1 <sup>st</sup> Floor	\$ 88.15
Each additional floor	\$ 30.75

**Plumbing Permits (cont.)****Multipurpose or Continuous Loop Fire Suppression Systems**

0 sq. ft. to 2,000 sq. ft.	\$ 150.17
2,001 sq. ft. to 3,600 sq. ft.	225.51
3,601 sq. ft. to 7,200 sq. ft.	281.90
7,201 sq. ft. and greater	\$ 524.84

**Commercial/Industrial:**

Fees per current Plumbing Permit Application

**Interior Piping (per 100 linear feet/per fixture)** \$ 28.70

**Initial Plan Review Fees** 30% of the plumbing permit fee

**Plan Review Fees Required by Revisions or Additions, Revisions** \$ 75 per hour  
(minimum one hour)

	<u>Base Fee</u>	<u>Plus each additional \$100 of BV</u>
<b>Medical Gas Permits</b>		
\$1 to \$6,500	\$ 85	\$ -
\$6,501 to \$10,000	85	1.73

	<u>Base Fee</u>	<u>Plus each additional \$1,000 of BV</u>
\$10,001 to \$100,000	145.50	10.50
Over \$100,000	1,090.50	7.25
Minimum Permit Fee	\$ 85	\$ -

*(Valuation shall be calculated on the value of the equipment and installation costs.)*

**Annual Adjustment.** Structural, mechanical, and plumbing designated permit fees shall be automatically adjusted each July 1st based on the percentage of the change in the Portland Oregon Consumer Price Index (CPI-W) second half report, published the preceding February of each year, effective July 1st, 2016 ending July 1st, 2020. Current year CPI-W is 2.2%.

**d. Electrical Permits****Residential/Commercial/Industrial:**

Fees per current Electrical Permit Application

**Residential single family houses, includes attached garage**

1,000 sq. ft. or less	\$ 270
Ea. Add'l 500 sq. ft. or portion	55
Limited energy	109

**Electrical Permits (cont.)****Services or feeders installation, alterations, and/or relocation**

200 amps or less	161
201 amps to 400 amps	213
401 amps to 600 amps	321
601 amps to 1,000 amps	482
Over 1,000 amps or volts	\$ 882

**Temporary services or feeders installation, alteration, and/or relocation**

200 amps or less	\$ 94
201 amps to 400 amps	200
401 amps to 599 amps	270

**Branch circuits**

Branch circuits <b>without</b> service or feeder, 1 <sup>st</sup> circuit	90
Branch circuits <b>without</b> service, each additional circuit	12
Branch circuits <b>with</b> service, each circuit	12

**Miscellaneous (service or feeder not included)**

Each manufactured or modular dwelling, service, and/or feeder	109
Reconnect only	109
Pump or irrigation circle	109
Sign or outline lighting	109
Signal circuit(s) or limited energy panel, alteration or extension (commercial/industrial only)	109
Each additional inspection over the allowable	\$ 85

**Investigation Fee**

\$ 105 per hour  
(minimum one hour)

**e. Other Inspections and Fees****Inspections Outside of Normal Business Hours**

\$ 98/hr.  
(must be preapproved by applicant) (minimum two hour)

**Inspections for which no fee is specifically indicated**

\$ 75/hr.  
(must be preapproved by applicant)

**Re-inspection Fee**

\$ 75/hr.

**Replacement Sheets (each)**

\$ 23/sheet

**Investigation Fee**

\$ 105 per hour (minimum one hour)

**Residential:****Manufactured Dwelling and Cabana Installation Permits**

\$ 445

All jurisdictions in the Tri-County area shall charge a single fee for the installation and set-up of manufactured homes. This single fee shall include the concrete slab, runners, or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling standard, electrical feeder and plumbing connections, and all cross-over connections.

**Other Inspections and Fees (cont.)**

<b>Earthquake-resistant bracing</b>	\$ 135
<b>Re-inspection</b>	135
<b>Statewide Code Development, Training and Monitoring Fee</b> (in addition to all other manufactured dwelling fees and charges)	30

**Commercial/Industrial:**

<b>Plan Reviews Not Designated Elsewhere</b>	30% of the permit fee
<b>Certificate of Occupancy</b>	180
<b>Temporary Certificate of Occupancy</b>	180
<b>Change of Use/Occupancy</b>	300
<b>Deferred Submittal Fee</b> (in addition to project plan review fee) <sup>1</sup>	\$250 + 10% of deferred item permit fee per deferred submittal (minimum \$300)
<b>Phased Permit Fee</b> (in addition to project plan review fee) <sup>1</sup>	\$250 + 10% of the total project permit fee per phase (minimum \$300, not to exceed \$1,500 per phase)

**f. Permit Related Fees**

**State surcharge shall be collected in an amount as required by State Law.**

**Building Moving/Demolition Permits**

2,000 sq. ft. or less	\$ 78
Each additional 1,000 sq. ft.	38
Plan Review Fee	75% of the permit fee

**Prefabricated Structures**

Per current permit fees

**Temporary Structures**

Per current permit fees

**Manufactured Dwelling Parks and Mobile Home Parks<sup>2</sup>**

Per current State permit fee

**Recreational Parks and Organizational Camps<sup>2</sup>**

Per current State permit fee

**Administrative fee for refunds**

20% of the permit fee

**Miscellaneous Building Valuations:****Retaining Walls**

To 8 ft. high, including footing	\$ 254/lin. Ft.
Over 8ft. high	\$ 276/lin. Ft.

**Fences**

Over 6ft. to 8ft. high	\$ 15/lin. Ft.
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<sup>1</sup> OAR 918-050-0170.<sup>2</sup> OAR. Division 650. Table 1 plus 30%.

**Permit Related Fees (cont.)**

<b>Concrete Slabs on Grade Foundations</b> – For house moves, modular buildings, pole buildings, etc.	
Plain Concrete:	
4-in. slab	\$ 3.00 / sq. ft.
5-in. slab	\$ 3.10 / sq. ft.
6-in. slab	\$ 3.25 / sq. ft.
Reinforced concrete	add \$ 1.15/sq. ft.
<b>Crawl Space Foundations</b>	
For house moves, modular, etc.	\$ 7.50/sq. Ft.
<b>Accessory Buildings</b>	
With floor slab	\$ 55/sq. ft.
Without floor slab	\$ 28/sq. ft.
<b>Pole Buildings</b>	
Up to and including 14-ft. eave height	\$ 32/sq. ft.
Over 14-ft. eave height	\$ 45/sq. ft.
For Insulation:	
Roof – Add	\$ 0.35/sq. ft.
Slab – Add	\$ 0.35/sq. ft.
Wall – Add	\$ 0.35/sq. ft.
For slabs on grade	See above
<b>Swimming Pools</b> (pool only/deck extra)	
Concrete or unite	\$ 70/sq. ft.
Plastic below ground	\$ 45/sq. ft.

**g. In-Fill and Grading****In-Fill and Grading Permit and Plan Review Fees for each**

1 to 50 cubic yards	\$ 100
51 to 100 cubic yards	150
101 to 1,000 cubic yards	200
1,001 to 10,000 cubic yards	\$ 250
10,001 cubic yards or more	Total hourly cost <sup>1</sup>

**Other Inspections and Fees**

<b>Inspections Outside of Normal Business Hours</b>	\$ 75/hr. (minimum two hour)
<b>Re-Inspection Fee</b>	\$ 75/hr.
<b>Inspections for which no fee is specifically indicated</b>	\$ 75/hr.
(must be preapproved by applicant)	

<sup>1</sup> Cost to include supervision, overhead, equipment, hourly wages, and benefits of employees involved.

### 3. BUSINESS REGISTRATION

Business Registration is required annually for all businesses doing business in the City.

Standard base fee	\$ 125
New business commencing between July 1 and December 31	65
Change in business ownership fee	10
Fee for each FTE	7
Temporary Business (2 weeks or less)	30

Delinquent Registration	10% of the original business tax plus interest at 9% per annum from the due date until full payment is received
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**Metro Business License versus City Business Registration or Both:**

Instead of obtaining separate business licenses/registrations within each Portland-area city that you conduct business in, you can purchase a single license from Metro to construct, alter, and repair structures in 20 cities that have licensing/registration requirements in the metropolitan area, excluding Portland. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. Exception: if your principal place of business is inside the City of Milwaukie, the business is required to apply for a City of Milwaukie Business Registration in addition to the Metro license.

For Metro applications, contact Metro at 503-797-1620 or visit their website at: <http://www.oregonmetro.gov/tools-working/regional-contractors-business-license>

**4. DOWNTOWN PARKING**

Downtown employees can purchase a permit for designated permit spaces. Customers and visitors of downtown Milwaukee can use the short-term parking spaces.

**Parking Permit Fees**

Daily Permit	\$ 5
Monthly Permit	50
Quarterly Permit	140
Discount for Bulk Pass Purchase (>10)	10%
Replacement Pass (each)	5
Parking Variance <sup>1</sup>	\$ 30

**Downtown Parklet Use Fees**

Downtown parklets are reviewed through Engineering. Additionally, Parklets incur a use fee for the parking spaces which are due upon application approval.

	<b>Engineering Fees</b>
Parklet Permit Fee	\$ 150
Parklet Renewal Fee	95
Parklet Plan Review	\$ 150

	<b>Monthly Use Fee Per Parking Space</b>
Private Seasonal Platform	\$ 20
Hybrid Parklet (25% discount from Private)	15
Public Parklet	No fee for parking space use

Additional incurred costs (if applicable)	TBD based on location
Signage for Public and Hybrid parklets	\$ 95

<sup>1</sup> Parking variance is subject to City approval for events and/or construction parking. Fee is charged per parking space and would be issued for no longer than a 2 week period.

## 5. ENGINEERING

Engineering fees consist of inspections, permits, printed and electronic maps, as well as erosion control charges.

### a. Inspections and Permits

Right-of-Way Permit Applications		
Construction Permit Application		\$ 250
Tree Removal or Major Pruning Permit		50
Sidewalk Permit		50
Right-of-Way Use Permit		50
Major Encroachment Permit Application		150
Minor Encroachment Permit Application		50
Right-of-way Re-inspection (beyond standard of 2)		95
Painted Intersection Permit		\$ 50
Subdivision Construction Inspection <sup>1</sup>	5.5% of Total Const. Cost (min. \$500)	
Public Improvement Construction Inspection <sup>2</sup>	5.5% of Total Const. Cost (min. \$500)	
Street Opening Deposit	\$ 25 per square foot, (min. 1,500)	
Street Opening Deposit under 5-Year Moratorium	\$ 50 per square foot, (min. 3,000)	
5-Year Moratorium Surcharge:		
1 <sup>st</sup> year of moratorium		\$250 per square foot
2 <sup>nd</sup> year of moratorium		\$200 per square foot
3 <sup>rd</sup> year of moratorium		\$150 per square foot
4 <sup>th</sup> year of moratorium		\$100 per square foot
5 <sup>th</sup> year of moratorium		\$50 per square foot
Grading Permit		
Minor (0 to 100cy)		150
Major (100+ cy)		250
Floodplain Review		Actual Costs
Inspection		Actual Costs
Building Permit Plan Review – Minor		75
Building Permit Plan Review - Major		150
Street Vacation/Rename Request	\$2,500 Deposit (actual cost billed per hourly rate)	
Request for Stormwater Rate Reduction	\$75 Deposit (actual cost billed per hourly rate)	
Franchise Permit Application		No cost
Traffic Control Device Request		No cost
ADA Request for Service		No cost
Transportation Fee Review Application	\$75 Deposit (actual cost billed per hourly rate)	
Appeal to City Council		300
Sewer Dye Test		100
Moving Buildings <sup>3</sup>	\$ 200 + \$75/hr. staff time + 1,000 deposit	

<sup>1</sup> Street/Sewer/Water/Storm.

<sup>2</sup> Commercial/Industrial/Miscellaneous Development.

<sup>3</sup> Performance bond amount at discretion of City Engineer.

**Materials (Engineering)**

Public Works Standards	\$ 30
Sewer TV Inspection Tape	\$ 25

**Electronic Drawings:**

Paper – All sizes	\$ 5
Other format (plus \$45/hr. for additional work)	7
Reproduction charges (\$0.10 for additional pages)	\$ 1

**Printed and Electronic Maps (GIS)****Standard Selection of GIS maps**

Full Sheet (34" x 44")	\$ 45
1/2 Sheet (22" x 34")	35
1/4 Sheet (17" x 22")	25
1/8 Sheet (11" x 17")	15
Electronic file (via electronic mail in PDF, JPG, GIF or TIF formats)	15
Electronic file (for mailed media includes postage, handling, and charges)	\$ 22

**Aerial Maps**

Full Sheet (34" x 44")	\$ 50
1/2 Sheet (22" x 34")	40
1/4 Sheet (17" x 22")	30
1/8 Sheet (11" x 17")	20
Electronic file (via electronic mail in PDF, JPG, GIF, or TIF formats)	15
Electronic file (for mailed media includes postage, handling, and charges)	\$ 22

**Custom Maps**

Flat charge per hour plus cost of materials	\$ 55
Electronic file (for mailed media includes postage, handling, and charges)	\$ 22

**Erosion Control**

Erosion Prevention/Sediment Control Planning & Design Manual (CD)	\$ 10
Minimum Charge for Clearing/Construction <sup>1</sup>	75

**Minimum charge applies if:**

Over 500 sq. ft. of disturbed soil. Not in or around a sensitive area (NR Zone, wetlands, conservancies, and streams) and value of structure/remodel doesn't exceed \$20,000

Clearing/Construction for Single-Family Residential	380
Rate if certified in erosion control <sup>2</sup>	225
Clearing/Construction for Multifamily Residential	490
Rate if certified in erosion control <sup>2</sup>	335
(additional \$40 per ½ acre over 1 acre)	
Clearing/Construction for Subdivision/Commercial/Industrial	623
Rate if certified in erosion control <sup>2</sup>	467
(additional \$40 per ½ acre over 1 acre)	
Additional Site Visit (due to code enforcement)	\$ 75

<sup>1</sup> Erosion control certification discount does not apply.

<sup>2</sup> Certification requires 4 hours of training in erosion control every 2 years.

## Section 6: Fees in Lieu of Construction (FILOC)

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### 6. FEES IN LIEU OF CONSTRUCTION (FILOC)

FILOC fees for Transportation, Water, Stormwater, Wastewater and Water Quality are established by City Council based on the impact of development on the appropriate infrastructure to serve the intended use. FILOC fees are available as an alternative to Construction of the minimum required services when those services can be deferred in accordance with MMC 13.32 at the request of the applicant for development. FILOC fees shall be indexed for inflation annually using the Engineering-News Record Construction Cost Index (CCI) for Seattle (Resolution #79-2016).

#### Transportation

Transportation FILOC is based on the historical cost to construct the minimum standard improvements for a local street per lineal foot of lot frontage.

Single Family Residential	\$414 per lineal foot
Commercial/Industrial	467 per lineal foot
Public Area Requirements	\$1,002 per lineal foot

#### Water

Water FILOC is based on the historical cost to construct the minimum standard water main per lineal foot of lot frontage.

Residential/Commercial/Industrial	\$300 per lineal foot
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#### Stormwater

Stormwater FILOC is based on the historical cost to construct the minimum standard storm main per lineal foot of lot frontage.

Residential/Commercial/Industrial	\$211 per lineal foot
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#### Wastewater

Wastewater FILOC is based on the historical cost to construct the minimum standard sanitary sewer main per lineal foot of lot frontage.

Residential/Commercial/Industrial	\$199 per lineal foot
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#### Storm Water Quality

Storm Water Quality FILOC is based on the historical cost to construct the minimum required water quality facility for impervious surfaces created that drain to a public storm system without treatment.

Residential/Commercial/Industrial	\$12 per sq. ft. of impervious surface
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## 7. LIBRARY

The Library collects fines for overdue books, lost or damaged items, and photocopying services.

### Overdue Fine

	<u>Per Day</u>	<u>Maximum</u>
Adult	\$ 0.25	\$ 3
Juvenile	0.10	\$ 1
Cultural Pass	\$ 5	Replacement cost

### Lost or Damaged Items

	<u>Per Item</u>
Barcode	\$ 1
Book Jacket	2
Barcode and Book Jacket	3
Audio Book CD	10
Missing Pages and Booklets	Refer to Librarian
Lost Item	Actual retail cost
Damaged Material	Refer to Librarian
Lost Library Card	1
Kindle Kit	155
Bike Lock	\$ 40

### Replacement Media Case

Cover Sheet	\$ 1
Audiobook and CD-ROM Case	5
DVD Case	1
CD-ROM Case	2
CD and CD-ROM Booklets	\$ 3

### Miscellaneous

Public Computer Printing:	
Black and White (first 5 free)	\$ 0.10
Color (first 1 free)	0.50
Microfilm Copies	0.10
Non-District Citizen Library Use	\$ 95 annually

**8. MISCELLANEOUS**

**Document Copying**

	<u>Per Item</u>
Black and White	\$ 0.10
Color	0.50

**Miscellaneous Permits**

Filming Permit – Fee varies based upon production budget and time to review application. Fee may be waived under certain conditions. Up to \$ 1,200

Temporary Event Permit – Fee may be charged to cover costs incurred by the City for assisting with an event. Staff time will be based upon billable hourly rates. No application fee

**9. MUNICIPAL COURT**

Milwaukie Municipal Court collects fines for traffic citations, parking violations, and miscellaneous programs approved by the Judge. Traffic fine amounts are set by State legislature based on the offense classification.

**Fees and Charges**

Payment Plan Installment Fee	\$ 25
Failure to Appear	75
Reinstatement Fee	15
Suspension Packet Fee	12
Returned Check Fee	30
Boot Release Fee	45
Seat Belt Class Fee	50
Collection Processing Fee	25
Trial Cancellation Fee	25
Young Driver Diversion Fee	100
Dismissal Fee	
Class D	50
Deferred Sentencing Fee	
Class B	260
Class C	160
Class D	\$ 110

**Traffic Fines**

<b>Penalty</b>	<b>Presumptive Fine</b>	<b>Special Zone Fine<sup>1</sup></b>	<b>Minimum Fine</b>	<b>Maximum Fine</b>
Class A	\$ 435	\$ 870	\$ 220	\$ 2,000
Class B	260	520	130	1,000
Class C	160	320	80	500
Class D	\$ 110	\$ 220	\$ 60	\$ 250

<sup>1</sup> Special zones include highway work zones, school zones, and safety corridors.

**Parking Fines**

Abandoned Vehicle	\$ 80
Angle Parking	40
Bicycle Lane	80
Blocking Driveway	50
Block Rule	40
Blocking Disabled Parking Space	250
Bus Zone/Taxi Zone	50
Double Parking	50
During Prohibited Times	50
Emergency/Safety Zone	80
Fire Hydrant	80
Five or More Unpaid Violations	60
Head in Only Parking	50
Loading Zone	50
No Parking Zone/Tow Away Zone	80
On Crosswalk/Sidewalk	80
Over 1 Ft. from Curb	50
Over Space Line	50
Overtime Parking	50
Permit Only Parking	50
Traffic Hazard	80
Trucks—2 Hr. Limit	50
Disabled Parking Space	450
Wrong Side of Street	50
Where Prohibited	\$ 80

(Res. #46-2009, adopted 2009)

**Per Milwaukie Municipal Code §10.20.090E, parking fine amounts may increase by 50% when a registered vehicle owner has received four (4) or more previous citations for the same parking violation within a rolling 365-day timeframe. If bail is not posted by the court date the fine will be doubled.** (Ord. #2005, adopted 2009, Ord. #1997, adopted 2009, Ord. #1728, adopted 1993, and Ord. #1361, adopted 1977)

## 10. PLANNING

The City Planning Department oversees land use applications, annexations, special requests, and procurement of City maps and master plans.

### Standard Land Use Applications

The following standard fees apply to all land use applications<sup>1</sup> not listed below. Some applications may require additional fees as described below under Additional Application Fees:

Type I Administrative Review	\$ 200
Type II Administrative Review	1,000
Type III Quasi-Judicial Review	2,000
Type IV Quasi-Judicial Review	5,000
Type V Legislative Review	\$ 5,000

### Other Land Use Applications

Community Service Use – Minor Modification (Type I)	\$ 50
Downtown Design Review (Type I, II, or III)	See fees for Standard Land Use applications above
Historic Resource Designation (Type IV)	150
Minor Land Partition (Type II)	2,000
Multifamily Design Review (Type I or II)	See fees for Standard Land Use applications above
Natural Resource <sup>2</sup>	
Boundary Verification (Type I)	No cost
Construction Management Plan (Type I)	No cost
Natural Resource Management Plan (Type I)	No cost
Tree Removal Request (Type I)	No cost
Tree Removal Request (Type III)	500
All Other Type I, II, or III applications <sup>3</sup>	See application fees
Planned Development – Preliminary Plan Review (Type III)	4,400
Planned Development—Final Plan Review (Type IV)	5,700
Property Line Adjustment (Type I)	650
Subdivision—Preliminary Plat Review (Type III)	\$4,400 + \$100 per lot over 4 lots
Temporary Structure (Type I)	50
Variance to Fence Height (Type II)	\$500

<sup>1</sup> For a complete list of land use application types, see Milwaukie Municipal Code Table 19.901.

<sup>2</sup> Res. #77-2011, adopted 8/16/11

<sup>3</sup> Fees waived for applications that meet all 3 of the following criteria: (1) the application involves only a habitat conservation area (HCA) and not a water quality resource (WQR), (2) the property is used for residential purposes, and (3) the current owner was the owner prior to September 15, 2011, the effective date of Ordinance #2036, pursuant to Resolution #77-2011.

**Additional Application Fees**

The following fees apply in addition to Land Use Application Fees:

Measure 56 Notice (for Zoning Map or Text Amendment)	Actual cost (\$1 per affected property, \$35/minimum)
Other Reserve Deposit	\$ 500
Technical Report Review:	
A. Scope of Work Preparation Reserve Deposit	Actual Cost <sup>1</sup> \$ 1,000
B. Review of Technical Report	Actual Cost <sup>2</sup>
<b>Reserve Deposit</b>	
Traffic	\$ 2,500
Natural Resources (Res. #77-2011, adopted 8/16/11, effective 9/15/11)	3,000
All Others	\$ 1,000

**Discounts for Land Use Applications**

	<u>Discount</u>
Two or More Applications (no discount for most expensive application) This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.	25%
Senior Citizens Seniors must be at least 65 years of age, and must be the property owner. Applicant may only receive one discount; the senior discount or the low income discount.	10%
Low Income Citizens Low-Income Citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.	25%
NDA – Sponsored Land Use Applications Related to Parks	Fees Waived

**Annexations**

	<u>Fee</u>
Annexation (Expedited)	\$ 150
Annexation (Non-expedited: No Zone Change or Comp Plan Amendment)	150
Annexation (Non-expedited: Zone Change only)	500
Annexation (Non-expedited: Zone Change and Comp Plan Amendment)	\$ 3,500

**Appeals**

Appeal to Planning Commission – per Oregon State Statute (ORS 227.175(10)) <sup>1</sup>	\$ 250
Appeal to City Council <sup>2</sup>	\$ 1,000

<sup>1</sup> Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project. See more information under Deposit Information.

<sup>2</sup> Fees are waived for NDA-sponsored appeals, pursuant to Resolution #26-1999.

**Deposit Information**

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

**Early Assistance**

Pre-application meeting:	
First meeting	No cost
Second meeting	\$ 50
Third and subsequent meetings <sup>1</sup>	100/mtg.
Pre-application conference <sup>2</sup>	200
Pre-application conference – Transportation Facilities Review <sup>3</sup>	100
Design review consultation with Design and Landmarks Committee	\$ 800

**Special Requests**

Property Value Reduction Claims (pertaining to Measures 37 or 49) <sup>4</sup>	\$ 1,515
Significant Modification of Complete Land Use Application	500
Reschedule of Public Hearing at Applicant's Request (when re-notification required)	500
Temporary Occupancy Request	100
Time Extension of Previously Granted Land Use Approval (Title 17 only)	50
Zoning Confirmation (General)	50
Zoning Confirmation (DMV Permit, LUCS) <sup>5</sup>	\$ 25

**Permit Review and Inspections**

Building Permit Review and Inspections (Minor; e.g., Demolition or Erosion Control)	\$ 25
Building Permit Review and Inspections (Major)	200
Additional Planning Inspection Fee	50
Modifications to Building Permit during review <sup>6</sup>	100
Original Art Mural	100
Sign Permit Review (per sign)	100
Sign Permit Review (daily display or "sandwich board" sign)	\$ 150

<sup>1</sup> Applies to optional meetings attended by a maximum of two City staff. No written notes provided.

<sup>2</sup> Applies to required or optional meetings that require three or more City staff. Written summary notes provided two weeks after meeting.

<sup>3</sup> Additional meeting required to discuss Transportation Impact Study.

<sup>4</sup> Fee will be refunded if applicant prevails. If claim is denied, additional money may be required to cover contract-attorney or appraiser costs, as determined by City Manager.

<sup>5</sup> Waived for LUCS for emergency sewer connection.

<sup>6</sup> Fee applies to site plan revisions generated by applicant, not those required by staff during review process.

## Section 10: Planning

### Materials

Most materials are available online for free or contact Planning for additional information:  
<http://www.milwaukeeoregon.gov/planning/planning-documents-ordinances-plans-and-guidelines>

Zoning Ordinance	\$ 51
Comprehensive Plan	21
Sign Ordinance	5
Land Division Ordinance	4
Downtown and Riverfront Public Area Requirements	\$ 15
GIS Maps (e.g., large Zoning Map)	See Engineering

### Downtown Design Guidelines

Black and White	\$ 10
Color	\$ 35

### Maps (e.g. Comprehensive Plan, Zoning Ordinance, or NR Administrative)

11x17 handout (color)	\$ 1
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### Comprehensive Plan Ancillary Documents:

Ardenwald Park Master Plan	\$ 1
Downtown and Riverfront Land Use Framework Plan	23
Elk Rock Island Natural Area Management Plan	5
Furnberg Park Master Plan	17
Homewood Park Master Plan	2
Johnson Creek Resources Management Plan	15
Lake Road Multimodal Plan	8
Lewelling Community Park Master Plan	1
North Clackamas Park North Side Master Plan	7
North Clackamas Public Facilities Plan	50
Scott Park Master Plan	2
Spring Park Master Plan	5
Springwater Corridor Master Plan	9
Tacoma Station Area Plan	60
Town Center Master Plan	19
Water Tower Park Master Plan	1
Wichita Park Master Plan	\$ 1
Vision Statement (one page)	No cost

### Transportation System Plan:

Full Document	\$ 67
Executive Summary	8
CD-ROM	\$ 2

## 11. POLICE

The City's Police Department collects fees for permits, licenses, and other miscellaneous services listed below:

### Permits/Licenses

Adult Business	\$ 372
Alarm Permit—Residential (seniors 60+ exempt from fee)_	20
Alarm Permit—Business	20
Gun Background Check	20
Liquor License (Original Application)	100
Liquor License (Name or Other Change)	75
Liquor License (Renewal Application)	35
Liquor License (Temporary License)	\$ 35

### Police Reports

Video tape copy	\$ 35
Police report	15
Photo CD	15
Traffic Citation Discovery (additional research charges may apply for unusual/complex requests)	\$ 10

### Police Services

False Alarm Response (first three)	No cost
False Alarm Response (customer age 65 and over)	No cost
False Alarm Response (each alarm after third)	\$ 160
Good Conduct Background Letter	5
Vehicle Impound	150
Loud Party Response—first response	Warning
Loud Party Response—second response and/or each subsequent response in 24-hr. period	\$ 50
Fire and Emergency Services fee (Ord. #1764, adopted 1994)	Actual cost

Section 12: SDC & Construction Excise Taxes

**12. SYSTEMS DEVELOPMENT CHARGES & CONSTRUCTION EXCISE TAXES**

SDC fees for Water, Stormwater, and Transportation shall be indexed for inflation annually using the Engineering-News Record Construction Cost Index (CCI) for Seattle (Resolution 40-2007). The CCI increase is 2.1%. Based on Oregon State Statute (ORS 223.304), the charges are broken down into three components; (1) reimbursement (to recover existing facility capacity available for growth), (2) improvement (to recover planned capacity improvements for growth), and (3) administration (to recover direct costs).

**Water System Development Charge**

Meter Size	Fee			TOTAL
	Reimbursement	Improvement	Administration	
¾" x ¾"	\$ 927	\$ 770	\$ 130	<b>\$ 1,827</b>
1"	1,545	1,286	217	<b>3,048</b>
1.5"	3,090	2,567	433	<b>6,090</b>
2"	4,943	4,110	694	<b>9,747</b>
3"	9,887	8,218	1,386	<b>19,491</b>
4"	15,448	12,840	2,167	<b>30,455</b>
6"	30,895	25,682	4,333	<b>60,910</b>
8"	49,433	41,093	6,933	<b>97,459</b>
10"	71,058	59,070	9,967	<b>140,095</b>
12"	\$ 139,029	\$ 115,574	\$ 19,499	<b>\$ 274,102</b>

**Wastewater System Development Charge**

A wastewater unit is equal to 16 fixture units derived from Table 7-3 of the Oregon Plumbing Specialty Code. Each residential dwelling unit is 1 Wastewater unit.

	Reimbursement	Improvement	Administration	TOTAL
Wastewater SDC	\$ 404	\$ 696	-	<b>\$ 1,100</b>

**Stormwater System Development Charge**

Stormwater unit is equal to 2,706 square feet of impervious surface on the property. Each single-family residential property is 1 Stormwater unit.

	Reimbursement	Improvement	Administration	TOTAL
Stormwater SDC	-	\$ 863	-	<b>\$ 863</b>

## Section 12: SDC & Construction Excise Taxes

### Transportation System Development Charge

Trip generation rates for each land use type are derived from the Institute of Transportation (ITE) report Trip Generation (7th Edition, 2003). Trip rates are expressed as vehicle trips entering and leaving a property during the p.m. peak travel period.

	Fee			TOTAL
	Reimbursement	Improvement	Administration	
Transportation SDC (per trip)	\$ 94	\$ 1,869	-	<b>\$ 1,963</b>

### Parks and Recreation System Development Charge

This charge is set by the North Clackamas Parks and Recreation District. Rates herein are updated as changes are adopted by their governing board.

Single-Family Residential	\$ 3,985 per dwelling unit
Multifamily Residential	3,608 per dwelling unit
Nonresidential	\$ 60 per employee <sup>1</sup>

### School Construction Excise Tax

This charge is set by the North Clackamas School District. Rates herein are updated as changes are adopted by their governing board.

Residential	\$ 1.26 per square foot
Commercial	\$ 0.63 per square foot <sup>2</sup>

### Metro Construction Excise Tax

This charge is set by Metro. Rates herein are updated as changes are adopted by their governing board.

Metro Construction Excise Tax	\$ 0.12 per \$100 of permit value
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Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for development of affordable housing units and permits issued to 501(c)(3) nonprofit organizations for other projects aimed at serving low-income populations. Permits for construction valued at more than \$10 million will be assessed a flat \$12,000 fee (0.12 percent of \$10 million).

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<sup>1</sup> Number of employees calculated according to type of business and building square feet. For more information, go to: <http://www.clackamas.us/engineering/sdc.html>.

<sup>2</sup> Total commercial fee capped at \$30,700 per project. Private schools, public improvements, low-income (HUD) housing, hospitals, religious facilities, and agricultural buildings are exempt. Construction under 1,000 square feet is exempt.

## Section 12: SDC & Construction Excise Taxes

### **Bancroft Financing for Commercial System Development Charges**

Bancroft Financing provides the opportunity for property owners of single family, multi-family, not-for-profit, public organizations, and commercial properties, to finance system development charge(s) over a ten year period, or less at the desire of the property owner, subject to the following interest rate (Ordinance 2108, adopted 2015):

Bank Prime Rate	Subject to change as published by the Federal Reserve System <sup>1</sup>
Administration	2.00%
<b>TOTAL</b>	Current Prime Rate plus Administration%

For the current bank prime rate visit: <http://www.federalreserve.gov/releases/h15/Current/>

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<sup>1</sup> The bank prime rate established by the Federal Reserve is updated periodically as determined by the Federal Reserve Board. The current bank prime rate can be found on the Federal Reserve website under "bank prime loan".

## 13. UTILITIES

The City of Milwaukie provides water, wastewater, stormwater, and street maintenance service to citizens. These services are billed monthly at the following rates<sup>1</sup>:

### Water

	Volume Charge per CCF of consumption)
Water	\$ 3.52

Residential & Commercial Meters	
Meter Size	Fixed Charge <sup>2</sup>
5/8" - 3/4"	\$ 7.77
1"	10.85
1 1/2"	17.49
2"	27.17
3"	66.99
4"	115.15
6"	\$ 169.89

Standby Service for Fire Flow Purposes	
Connection Size	Fixed Charge
2"	\$ 11.58
4"	41.70
6"	60.72
8"	82.41
10"	104.12
12"	\$ 125.83

### Wastewater

Account Type	Treatment (per EDU)	Billing and Administration (per account)	Volume <sup>3</sup> (per CCF of water consumption)
Residential	\$ 31.13	\$ 9.12	\$ 2.94
Low Income	15.57	4.57	1.47
Commercial	\$ 67.66	\$ 9.12	\$ 2.94

### Stormwater

	Single Family Residential	Low Income	Commercial
Stormwater	\$ 22.12	\$ 11.06	\$ 22.12 (per 2,706 sq. ft. of impervious area)

<sup>1</sup> The Citizens Utility Advisory Board reviews the existing rate structure and capital improvement plan to advise City Council on utility rates.

<sup>2</sup> Customers participating in the City's Low Income Utility Assistance program are exempt from the monthly fixed charge.

<sup>3</sup> Residential wastewater volume charges are determined by the average monthly water usage from November to February (winter average). The winter average is adjusted annually on March 31st.

**Transportation**

<b>Street Maintenance &amp; SAFE Rates for All Categories</b>		
<b>Account Type</b>	<b>SSMP Rates</b>	<b>SAFE Rates</b>
Single Family Residential	\$ 4.06	\$ 4.70
Low Income	Exempt	Exempt
Commercial per daily trip generated <sup>1 2</sup>	\$ 0.43	\$ 0.47
Multi-Family Residential	2.58 per unit	2.82 per unit
Elderly Housing/Mobile Homes	1.72 per unit	1.88 per unit
Congregate Care	\$ .86 per unit	0.94 per unit

**Other Charges**

**Water:**

Connect Service 5/8" or 3/4" Residential Service	\$ 2,760
Connect Service 1"	2,860
Connect Service 1 1/2"	3,270
Connect Service 2"	3,370
3/4" Meter Equipment	235
1" Meter Equipment	340
1 1/2" Meter Equipment	570
2" Meter Equipment	690
Hydrant Meter Deposit (refundable less water usage)	\$ 2,250

**Sewer Connection:**

This charge is set by Clackamas County. Rates herein are updated as changes are adopted by their governing board. This fee is charged to the City by Clackamas County and collected to recover invoiced costs for each new connection to the public sanitary sewer system. \$ 6,295 per EDU<sup>3</sup>

**Miscellaneous:**

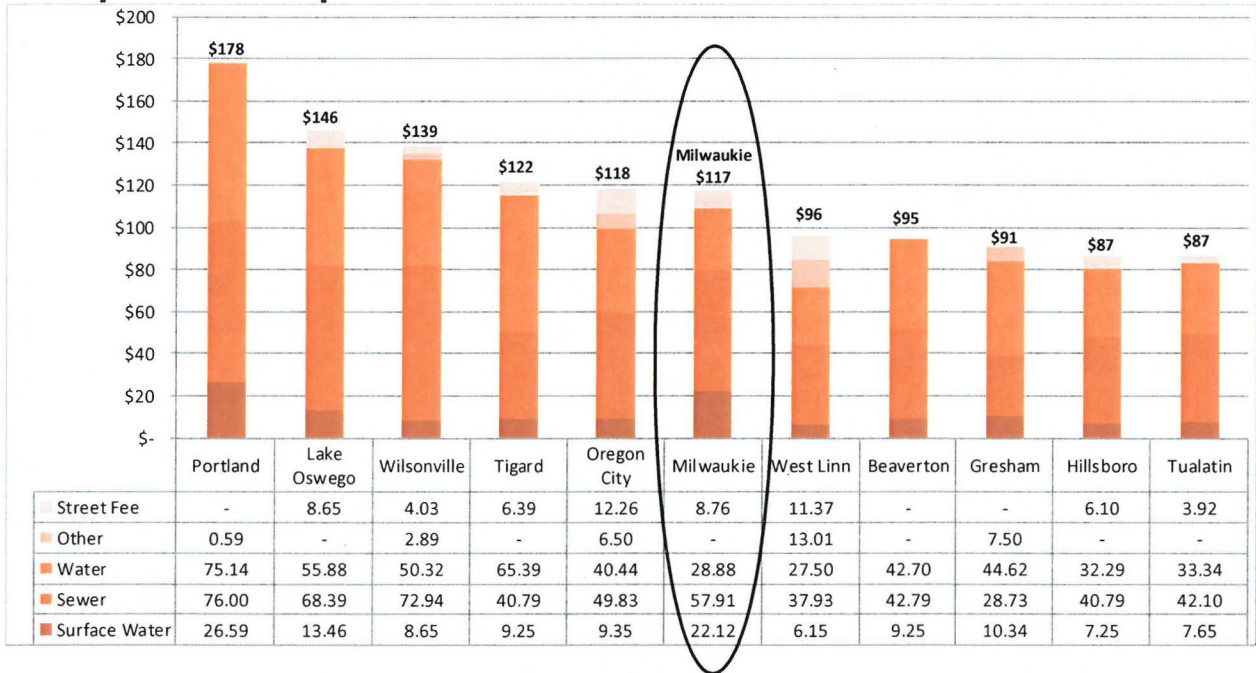
Reimbursement District Fee	To be determined by the scope of project
Delinquent Account – Past Due Notice	\$ 5
Delinquent Account – Notice of Termination	10
Shut-off/Turn-on	35
After-hours Restoration of Service (Turn-on Fee)	\$ 85
Monday-Friday 3:00-8:00 p.m.; Saturday and Sunday 8:00 a.m. – 8:00 p.m.	

<sup>1</sup> Cost per unit for commercial accounts is determined by the type of use. Visit [www.milwaukieoregon.gov/commercialfee](http://www.milwaukieoregon.gov/commercialfee) for a detailed breakdown.

<sup>2</sup> Commercial daily trip generated is calculated based on type of use and building square feet. Monthly bill is capped at \$250 indexed annually for CPI published by the Bureau of Labor Statistics. Current maximum is \$296.88 (Municipal Code Section 3.25.060).

<sup>3</sup> An EDU or "equivalent dwelling unit" is a unit of measurement of sewer usage that is assumed to be equivalent to the usage of an average dwelling unit.

### Comparison Graph



This graph compares the average utility bills for the neighboring cities surrounding Milwaukie. As some cities bill monthly, some bill every two months, and some bill every three months, these amounts are converted to average monthly amounts so they are comparable to Milwaukie. Cities increase different rates at different times during the year; therefore, this graph is simply a picture in time reflecting the rates when the survey was conducted. Cities have different average water consumption amounts per household; so for the sake of this comparison, these rates are computed using an average 6ccfs of water used per month to be comparable to Milwaukie's overall average. Below are Milwaukie's calculations:

	July 1, 2015			July 1, 2016			July 1, 2017		
	increased	avg bill		increased	avg bill		increased	avg bill	
<b>Water Service Fee</b>									
Base	5.0%	0.34	\$ 7.15	3.5%	0.25	\$ 7.40	5.0%	0.37	\$ 7.77
Plus per 6ccf	5.0%	0.90	<u>19.44</u>	3.5%	0.66	<u>20.10</u>	5.0%	1.01	<u>21.11</u>
Avg water per house (6ccfs)			26.59			27.50			28.88
<b>Sewer Service Fee</b>									
Base fee	4.5%	1.24	28.78	4.0%	1.15	29.93	4.0%	1.20	31.13
Plus per 6ccf	4.5%	1.08	<u>24.75</u>	4.0%	1.00	<u>25.75</u>	4.0%	1.03	<u>26.78</u>
Avg sewer per house			53.53			55.68			57.91
<b>Storm Water Management Fee</b>	14.1%	2.10	16.99	14.1%	2.40	19.39	14.1%	2.73	22.12
<b>Street Maintenance Fee</b>									
SSMP	0%	N/A	3.35	0%	N/A	3.35	21%	0.71	4.06
SAFE			-	1/1/2017	4.60	<u>4.60</u>	3%	0.10	<u>4.70</u>
Avg street per house			3.35			7.95	10%	0.81	8.76
<b>Average bill per residence</b>			<u>\$ 5.66</u> <u>\$ 100.46</u>			<u>\$ 10.06</u> <u>\$ 110.52</u>	6.47%	<u>\$ 7.15</u>	<u>\$ 117.67</u>
Maximum SSMP						296.88	0.0257	7.63	304.51
Maximum SAFE						390.18	0.0257	10.03	400.21

## Section 14: Utility Rights-of-Way Usage Fees

### 14. UTILITY RIGHTS-OF-WAY USAGE FEES

Following fees apply to anyone using the City's Rights-of-way (ROW) in accordance with Resolution 101-2016.

ROW application	\$ 50
ROW License (5 year)	250
Electric & Natural gas utility providers	5% of gross revenue
Telecommunications	7% of gross revenue
Cable Systems (franchise required)	5% of gross revenue
Use of the City's ROW for any purpose other than generating revenue <sup>1</sup>	\$ 3.00 per linear foot or \$5,000 per year, whichever is greater
Attachments to facilities within the City's ROW <sup>2</sup>	\$ 5,000 per attachment

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<sup>1</sup> This fee shall increase 3% annually on July 1<sup>st</sup> of each year, beginning July 1<sup>st</sup>, 2018

<sup>2</sup> This fee shall increase 3% annually on July 1<sup>st</sup> of each year, beginning July 1<sup>st</sup>, 2018

## 15. VIOLATIONS OF THE MUNICIPAL CODE

Violation of the Milwaukie Municipal Code may result in the following fees or penalties. Each day that a violation exists is a separate offense.

### General

General penalty (applies to any Municipal Code violation where no other penalty is specified) <sup>1</sup>	\$ 150 to 200
Third or subsequent violation (applies to any Municipal Code violation) <sup>6</sup>	1,000
Nuisance violation <sup>2</sup>	Maximum 500
Shopping cart retrieval programmatic violation <sup>3</sup>	Maximum 500
Noise control violation <sup>4</sup>	Maximum 500
Adult business code violation <sup>5</sup>	Maximum 500
Public urination or defecation <sup>6</sup>	up to 750
Curfew violation <sup>7</sup>	up to 300
Failure to retrieve shopping cart within 72 hours <sup>8</sup>	50
Solid waste regulation/un-franchised violation <sup>9</sup>	up to 500
Abatement <sup>10</sup> (applies to any Municipal Code violation citation) <sup>11</sup>	\$ 50

### Building Penalties

Violation of vacant building standards <sup>12</sup>	up to \$ 300
Interference with fire control device <sup>13</sup>	up to 750
Swimming pool barrier violation <sup>14</sup>	up to 100 per week <sup>15</sup>
	Not less than
Building relocation violation <sup>16</sup>	1,000
Failure to comply with stop work order <sup>17</sup>	up to 1,000
Any violation of Title 15 for which a specific penalty has not been expressly provided <sup>18</sup>	up to \$ 1,000

<sup>1</sup> Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986.

<sup>2</sup> Ord. #1503, adopted 1981, and Ord. #1028, adopted 1964.

<sup>3</sup> Ord. #1980, adopted 2008.

<sup>4</sup> Ord. #1528, adopted 1982.

<sup>5</sup> Ord. #1533, adopted 1982.

<sup>6</sup> Ord. #1953, adopted 2005.

<sup>7</sup> Ord. #1503, adopted 1981, and Ord. #995, adopted 1963.

<sup>8</sup> Ord. #1980, adopted 2008.

<sup>9</sup> Ord. #1955, adopted 2005, Ord. #2092 adopted 2015.

<sup>10</sup> All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee, additional state and county assessments and the general penalty for third or subsequent violations.

<sup>11</sup> Ord. #1998, adopted 2009, Ord. #1758, adopted 1994, and Ord. #1659, adopted 1989.

<sup>12</sup> Ord. #1464, adopted 1980.

<sup>13</sup> Ord. #1515, adopted 1982.

<sup>14</sup> Ord. #1430, adopted 1979.

<sup>15</sup> Each week that this violation exists is a separate offense.

<sup>16</sup> Ord. #1952, adopted 2005.

<sup>17</sup> Ord. #1881, adopted 2000.

<sup>18</sup> Ord. #2011, adopted 2010.

## Section 15: Violations of the Municipal Code

### Motor Vehicle Fuel Tax Penalties

Each day that a violation exists is a separate offense.

Failure to secure motor vehicle fuel sales permit <sup>1</sup>	200% penalty on tax owed and \$250.00
Failure to file monthly motor vehicle fuel sales report <sup>1</sup>	10% penalty on tax owed and \$50.00
Late payment of motor vehicle fuel sales tax <sup>1</sup> (depending upon length of delinquency)	1% or 10% of tax

### Specialty Code Penalties

Violation of various Specialty Codes: building, plumbing, mechanical, and electrical <sup>2</sup>	up to \$1,000 per day (maximum \$5,000)
Appeal of Specialty Code violation <sup>3</sup>	\$ 250

### Engineering Penalties

Violation of capital improvement regulations <sup>4</sup>	up to \$ 500
Basketball hoop regulation violation <sup>5</sup>	up to 250
Vegetation too low in the right-of-way <sup>6</sup>	up to 100
Clear vision violation <sup>7</sup>	up to 250
Failure to repair sidewalk <sup>8</sup>	up to 250
Sidewalk bench violation <sup>9</sup>	up to 100
Failure to remove street bench after permit termination <sup>10</sup>	25
Flood hazard violation <sup>11</sup>	up to 1,000
Access management violation <sup>12</sup>	up to 250
Right-of-way encroachment <sup>13</sup>	up to 250
Erosion control violation <sup>14</sup>	up to 300
Unpermitted tree cutting in the public right-of-way <sup>15</sup>	\$ 1,000

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<sup>1</sup> Ord. #1970, adopted 2007

<sup>2</sup> Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010.

<sup>3</sup> Ord. #2011, adopted 2010.

<sup>4</sup> Ord. #1707, adopted 1991.

<sup>5</sup> Ord. #1503, adopted 1981, and Ord. #1405, adopted 1978.

<sup>6</sup> Ord. #1999, adopted 2009.

<sup>7</sup> Ord. #1679, adopted 1990.

<sup>8</sup> Ord. #1697, adopted 1991.

<sup>9</sup> Ord. #1503, adopted 1981, and Ord. #1289, adopted 1974.

<sup>10</sup> Ord. #1289, adopted 1974.

<sup>11</sup> Ord. #1983, adopted 2008, and Ord. #1899, adopted 2002.

<sup>12</sup> Ord. #2004 adopted 2009.

<sup>13</sup> Ord. #2004 adopted 2009, and Ord. #1866 adopted 2000.

<sup>14</sup> Ord. #1899 adopted 2002.

<sup>15</sup> (Title 16) Ord. #1836, adopted 1998.

## Section 15: Violations of the Municipal Code

### Police Penalties

No active alarm permit on file for property (when dispatched)	\$ 25
Weapon discharge violation <sup>1</sup>	up to 750
Public consumption of alcohol <sup>2</sup>	up to 250
Failure to pay Fire and Emergency Services Fee <sup>3</sup>	up to 300
Security Alarm Violation <sup>4</sup>	Maximum \$ 500
Traffic violation penalty <sup>5</sup>	At least 50% of maximum under Oregon Statute

### Planning Penalties

Violation of Sign Ordinance <sup>6</sup>	up to \$ 100
Violation of Land Division Ordinance <sup>7</sup>	200
Violation of Zoning Ordinance <sup>8</sup>	up to \$ 200

### Utility Penalties

Low income utility rate violation <sup>9</sup>	up to \$ 200
Water, wastewater, or storm system regulation violation <sup>10</sup>	25 to 500
Sewer violation <sup>11</sup>	Maximum 500
Fats, oils, and grease violation <sup>12</sup>	Maximum \$ 500

### Business Registration Penalties

Violation of business registration requirements <sup>13</sup>	up to \$ 200
Violation of "Milwaukie Junk Dealers, Secondhand Dealers, Pawnbrokers and Transient Merchants Ordinance" <sup>14</sup>	up to \$ 300

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<sup>1</sup> Ord. #1515, adopted 1982.

<sup>2</sup> Ord. #1746, adopted 1993.

<sup>3</sup> Ord. #1767, adopted 1994, and Ord. #1764, adopted 1994.

<sup>4</sup> Ord. #1568, adopted 1984.

<sup>5</sup> Ord. #1922, adopted 2003.

<sup>6</sup> (Title 14) Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993.

<sup>7</sup> (Title 17) Ord. #1907, adopted 2002.

<sup>8</sup> (Title 19) Ord. #2025, adopted 2011.

<sup>9</sup> Ord. #1424, adopted 1979.

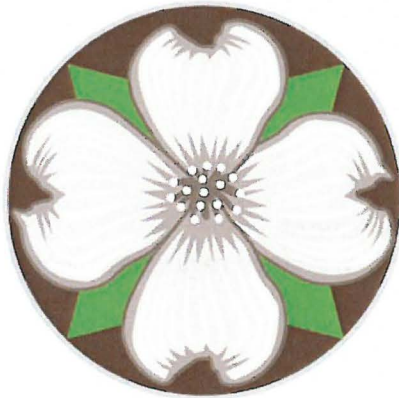
<sup>10</sup> Ord. #1418, adopted 1978, Ord. #1548, adopted 1986 and Ord. #1755, adopted 1994.

<sup>11</sup> Ord. #1548, adopted 1983.

<sup>12</sup> Ord. #1990, adopted 2008, Ord. #1985, adopted 2008, and Ord. #1972, adopted 2007.

<sup>13</sup> Ord. #1863, adopted 1999, and Ord. #1349, adopted 1976.

<sup>14</sup> Ord. #1552, adopted 1983.



**City of Milwaukie  
10722 SE Main St  
Milwaukie, OR 97222**

**503-786-7555**

<http://www.milwaukieoregon.gov/finance>

## **Stauffer, Scott**

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**From:** Ober, Ann  
**Sent:** Tuesday, June 27, 2017 11:09 AM  
**To:** Stauffer, Scott  
**Cc:** Fish, Haley; Dennis, Bonnie  
**Subject:** RE: Master Fee Schedule Update

This works for me. Thanks Scott.

Ann

**From:** Stauffer, Scott  
**Sent:** Tuesday, June 27, 2017 9:42 AM  
**To:** Ober, Ann <OberA@milwaukieoregon.gov>  
**Cc:** Fish, Haley <FishH@milwaukieoregon.gov>; Dennis, Bonnie <DennisB@milwaukieoregon.gov>  
**Subject:** FW: Master Fee Schedule Update

Ann – a typo has been noted in the recently adopted Master Fee Schedule; see Bonnie’s note below.

We believe this can be handled by simply correcting it and that no additional Council action is necessary. The Municipal Code authorizes the City Recorder to correct typographical errors in ordinances, and although this is not an ordinance we believe the same idea would apply here – correcting a typo that doesn’t change City policy. In this instance, this correction would actually ensure that the Master Fee Schedule is in line with City policy.

Let us know if you would like us to take any further action on this, otherwise we’ll just be including the revised/corrected Master Fee Schedule with the resolution.

### **SCOTT STAUFFER, CMC**

City Recorder  
o: 503.786.7502  
City of Milwaukie

**From:** Dennis, Bonnie  
**Sent:** Tuesday, June 27, 2017 9:32 AM  
**To:** Stauffer, Scott <[StaufferS@milwaukieoregon.gov](mailto:StaufferS@milwaukieoregon.gov)>  
**Cc:** Fish, Haley <[FishH@milwaukieoregon.gov](mailto:FishH@milwaukieoregon.gov)>  
**Subject:** Master Fee Schedule Update

Good morning Scott,

Per our discussion, there was a typo on page 28 under section 13: Utilities. The Water charge for the ¾” Meter Equipment was listed as \$1,235, however the fee should be \$235. Last year’s fee was \$230 and the fee increase is \$5.00 or 2.16% per the Construction Cost Index.

The fee schedule goes through multiple reviews including the departments but unfortunately this was missed. Attached is the updated Master Fee Schedule with this change in final form for your review.

Thank you,  
**BONNIE DENNIS, MBA**

Assistant Finance Director  
o: 503.786.7505  
City of Milwaukie  
10722 SE Main St • Milwaukie, OR 97222