

RESOLUTION  
BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF MULTNOMAH COUNTY

Resolution Expressing Support of )  
HB 3264 Allowing Counties to Collect ) RESOLUTION  
Franchise Fees from Utilities ) 91-32  
Operating in the County Right-of-Way )

WHEREAS, Oregon Counties have been excluded from collecting utility franchise fees by ORS 758.010 which allows utilities to operate along the public roads "free of charge", "except within cities"; and

WHEREAS, Oregon Counties, like cities, have a proprietary interest over the roads within their jurisdiction; and

WHEREAS, A franchise fee payable to a municipality is for the use of its streets, yet only cities are allowed to charge for the use of their streets; and

WHEREAS, The law requires Counties to provide corridors for utilities on County owned rights-of-way, and Counties must arrange to purchase or have dedicated these corridors for utilities; and

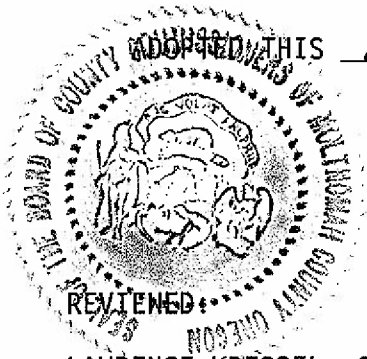
WHEREAS, The estimated annual franchise fee revenue for Oregon Counties is substantial, and is an equitable means of recovering some of the great losses imposed by Ballot Measure 5; and

WHEREAS, The County franchise fee will benefit County residents; and

WHEREAS, A franchise fee is a privilege or immunity of a public nature, which cannot be legally exercised without legislative grant;

THEREFORE, BE IT RESOLVED that the Multnomah County Commissioners requests the grant of legislative authority for utility franchise fees by supporting the passage of HB 3264.

ADOPTED THIS 28<sup>th</sup> day of March, 1991.



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By Gladys McCoy  
Gladys McCoy  
Multnomah County Chair

LAURENCE KRESSEL, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By John L. DuBay  
John L. DuBay  
Assistant County Counsel  
8625V