

**BE IT REMEMBERED, that at a regular term of the Board of Commissioners of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Commission, when were present:**

**The Honorable Donna Beverage, Chair**  
**Paul Anderes, Commissioner**  
**R. Matthew Scarfo Commissioner**

WHEN, on Wednesday the 6<sup>th</sup> day of November 2019, among others the following proceedings were had to wit:

IN THE MATTER OF AMENDING )  
ORDINANCE 2001-02 PROVIDING ) ORDINANCE  
FOR THE ISSUANCE OF PERMITS ) 2019-02  
FOR WORK IN THE RIGHT-OF-WAY ) Page 1 of 2  
AND WORK ON COUNTY APPROACH )  
ROADS )

WHEREAS, the purpose of this Ordinance is to Amend Ordinance 2001-02, adopted by the Board of Commissioners on May 16, 2001, providing for the issuance of permits for work in the right-of-way and county approach roads.

1. Section 3 Permit Fees and Charges is hereby amended as follows:

Language removed: ~~There shall be a fee of \$40 per application.~~

Replacement language:

- a. There shall be a fee of \$100 per application for landowner applications.
- b. There shall be a fee of \$500 per application for utility company applications (i.e, electrical, gas, phone/internet, etc.)
- c. Fees can be changed by Resolution adopted by the Board of Commissioners.

2. Section 7 is hereby added to the existing ordinance and reads as follows:

Penalty for failure to obtain a permit. Except those utility operators with a valid franchise agreement from the County, every person shall obtain a permit from the County prior to conducting any work in the right-of-way. Failure to obtain a right-of-way permit will result in a fine of \$500.00 and the County issuing a stop order until the necessary permit has been obtained.

3. Section 8 is hereby added to the existing ordinance and reads as follows:

Performance Requirements. Utility facilities shall be constructed, installed, operated, repaired and maintained in accordance with all applicable federal, state and local codes, rules and regulations, including the County standards, the National Electrical Code, the National Electrical Safety Code in effect and as may be subsequently amended. When a utility operator, or any person acting on its behalf, does any work in or affecting the right-of-way, the utility operator shall, at its own expense, promptly restore the right-of-way as directed by the County consistent with applicable County codes, rules and regulations, and the County standards. A utility provider or other person acting on its behalf must use suitable

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barricades, flags, flagging attendants, lights, flares or other measure as required for the safety of the general public and to prevent injury or damage to any person(s), vehicle or property by reason of such work in or affecting the right-of-way or property. If construction activities in the right-of-way cause an existing use or utility to be in conflict, the utility or existing use will be moved at no cost to the County. Any contractor working in the right-of-way must provide proof of adequate insurance to the County prior to initiating work.

First Reading approved: \_\_\_\_\_

Second Reading and Adoption this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Donna Beverage, CHAIR

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Paul Anderes, COMMISSIONER

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R. Matthew Scarfo, COMMISSIONER