


## COUNCIL COMMUNICATION

	Number:	<b>20-283</b>	Meeting:	<b>June 22, 2020</b>
	Agenda Item:	<b>74</b>	Roll Call:	<b>20-1070</b>
	Submitted by:	<b>Steven L. Naber, P.E., City Engineer</b>		

### AGENDA HEADING:

Amending Chapter 102 of the Municipal Code and the schedule of fees regarding the annual management fee for right-of-way licenses.

### SYNOPSIS:

Recommend approval of the amended ordinance and schedule of fees. The update is needed to meet Iowa Code requirements for issuance of licenses in City right-of-way.

### FISCAL IMPACT: NONE

### ADDITIONAL INFORMATION:

- In 2019, the State Legislature passed bill HF 537 modifying Section 480A of the Iowa Code to prohibit cities from collecting right-of-way management fees for public utilities within the public right-of-way.
- Prior to the bill being passed, the City required users of the City right-of-way to pay an annual fee based on the amount of lineal footage their company had within the right-of-way.
- The proposed changes remove all references to “annual management fee” from Chapter 102 and the schedule of fees to coincide with state law.

### PREVIOUS COUNCIL ACTION(S): NONE

### BOARD/COMMISSION ACTION(S): NONE

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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