

CHARLESTON RURAL FIRE PROTECTION DISTRICT  
AN ORDINANCE AMENDING ORDINANCE NO. 102

An ordinance amending in its entirety Ordinance No.102 by establishing fees for persons and entities both public and private for responses to fire or public safety incidents both inside of and outside of the District's boundaries, including but not limited to; responding to fire or public safety incidents in unprotected or inadequately protected districts or territories; responding to fire or public safety incidents involving an aircraft incident and responding to fire or public safety incidents on transportation routes when fire or public safety responses involve persons and entities both public and private who do not pay property taxes to the District and who are not residents of the District and establishing fees for all other fire and public safety incident responses authorized by law or contract.

The Board of Directors of the Charleston Rural Fire Protection District find as follows:

WHEREAS, ORS 478.310 et seq and ORS 178.410(4) authorize fire districts to recover the cost to the district of providing fire and public safety services; and

WHEREAS, responses to fire and public safety incidents occur both inside of and outside of the District's boundaries; and

WHEREAS, responses to fire and public safety incidents occur involving aircraft incidents; and

WHEREAS, responses to fire and public safety incidents occur on transportation routes; and

WHEREAS, responses to fire and public safety incidents occur under circumstances in which the District is authorized by law or contract to charge such fees; and

WHEREAS, the fire and public safety incident responses listed in these findings often involve persons or entities both public and private who do not pay property taxes to the District and who are not residents of the District; and

WHEREAS, responses require equipment and personnel for medical, fire and life safety responses; and

WHEREAS, those persons or entities both public and private involved in such incidents have not shared in the equipment or training costs which insure an appropriate response for service; and

WHEREAS, the failure to bill those persons or entities both public and private who are the recipients of District services places an unfair economic burden upon District residents; and

WHEREAS, the District Directors have reviewed the State Fire Marshal's Cost Schedule and have determined those costs to be fair and reasonable and to reflect the actual costs incurred on behalf of the District; and

WHEREAS, the District Directors wish only to recoup the actual costs of District services, and do not intend to use the fees established by this ordinance to generate revenue; and

THEREFORE, BE IT ORDAINED that the Charleston Rural Fire Protection District Board of Directors does hereby amend Ordinance No. 102 in its entirety by establishing fees for persons and entities both public and private when fire or public safety responses involve persons and entities who do not pay property taxes to the District and who are not residents of the District for responses to fire or public safety incidents both inside of and outside of the District's boundaries, including but not limited to; responding to fire or public safety incidents in unprotected or inadequately protected districts or territories; responding to fire or public safety incidents involving an aircraft incident and responding to fire or public safety incidents on transportation routes and establishing fees for all other fire and public safety incident responses authorized by law or contract.

1. The contract or reasonable value of the use, including repairs and depreciation, of the apparatus and equipment used in accordance with the State Standardized Costs Schedule issued by the State Fire Marshal.

2. For those costs not listed under the State Standardized Costs Schedule issued by the State Fire Marshal, the following is adopted:

- (a) \$ 100.00 minimum response charge.
- (b) \$ 15.00 per hour for each Volunteer person responding to and performing services at the emergency scene.
- (c) \$ 45.00 per hour for each career staff responding to and performing services at the emergency scene.

NOTE: All charges shall be billed at a minimum of one (1) hour, with subsequent hours pro-rated for fractions of an hour not less than one-quarter (1/4) of an hour.

3. In addition to the above, the District will surcharge and pass on directly to the service recipient all other costs or charges received from any other governmental unit.

4. All supplies will be charged at a replacement-cost factor.

5. Response shall be based upon standard operating procedures established by the District, or at the discretion of the Fire Chief or designee.

BE IT FURTHER ORDAINED by the Charleston Rural Fire Protection District that the following procedure shall be used for billing:

1. The Incident Commander shall make a determination that the fire or public safety incident response is a response covered by this ordinance and whether or not the persons or entities both public and private receiving service do not pay property taxes to the District and are not residents of the District.

2. The Incident Commander or his/her designee shall obtain the name, address, telephone number, and insurance information of those receiving service.

3. The District will endeavor to send all bills within thirty (30) days of providing service. If arrangements for payment are not made within sixty (60) days, a second bill will be sent which will include a late service charge of .75% per month; 9% per annum. If arrangements for payment are not made within ninety (90) days of the original billing, the bill will be considered delinquent and the District will proceed with collection.

Adopted by vote of the Charleston Rural Fire Protection District Board of Directors this 16<sup>th</sup> day of January, 2008.

Effective date of ordinance: January 16, 2008.

Ayes: 5

Nays: 0

**This document is for reference only, a copy of the original can be viewed in accordance with Board Policy by contacting the District Fire Chief.**