

**ORDINANCE NO. 07-19-22-01**

*Lane Fire Authority*

AN ORDINANCE REPEALING ORDINANCE NO. 07-27-10-01; ADOPTING COST-BASED FEES FOR SERVICES PROVIDED UNDER ORS 478.410(4) AND ORS 478.310; AND ALLOWING THE FIRE CHIEF TO CREATE ADMINISTRATIVE RULES

Whereas, ORS 478.410(4) authorizes Lane Fire Authority to adopt, by ordinance, fees for its services in order to reimburse Lane Fire Authority for the actual costs incurred by providing those services, and

Whereas, ORS 478.310 authorizes Lane Fire Authority to recover from non-residents and non-taxpayers the actual costs of providing fire or public safety response services on transportation routes within its jurisdiction and outside its jurisdiction, and in unprotected areas outside its jurisdiction; and

Whereas, Lane Fire Authority Board of Directors has determined that it is fair, reasonable, and appropriate to establish fees to be reimbursed for the actual costs of providing its services under ORS 478.410(4) and to establish fees to recover the actual costs of providing fire or public safety response services under ORS 478.310, as long as those fees are limited to cost recovery only and will not be used to generate revenue; and

Whereas, the Lane Fire Authority Board of Directors has reviewed other Fire Districts' fees, and reviewed Lane Fire Authority's actual costs with its billing company; and

Whereas, the Lane Fire Authority Board of Directors has determined that the fees imposed by this Ordinance accurately reflect Lane Fire Authority's actual cost of providing services under ORS 478.410(4) and ORS 478.310 and will not generate revenue; and

Whereas, pursuant to ORS 294.160, members of the public were provided an opportunity to comment on the fees imposed by this Ordinance at the public meeting held on 07/19/2022; and

Whereas, the fees imposed by this Ordinance are not taxes subject to the property tax limitations of Article XI, Section 11(b) of the Oregon Constitution.

BE IT THEREFORE ORDAINED:

Section 1 – The Lane Fire Authority Board of Directors hereby repeals Ordinance No. 07-27-10-01 in its entirety.

Section 2 – The Lane Fire Authority Board of Directors hereby adopts the fees set forth in the Schedule of Ambulance and Emergency Medical Services Rates, attached and incorporated into this Ordinance as Exhibit A.

Section 3 – The Lane Fire Authority Board of Directors may adjust Exhibit A by resolution or ordinance from time to time as it deems necessary to recover its actual costs incurred for any service Lane Fire Authority provides, pursuant to ORS 478.410(4) and ORS 478.310.

Section 4 – The Lane Fire Authority Board of Directors grants to the Fire Chief the authority to enforce this Ordinance and to create administrative rules regarding the application of this Ordinance, including the invoicing and collection of fees imposed by this Ordinance; the appeals of fees imposed by this Ordinance; the waiver of fees imposed by this Ordinance; and other matters involving the interpretation and application of this Ordinance, as long as those administrative rules are consistent with the requirements of this Ordinance.

Section 5 – This Ordinance to establish and maintain Lane Fire Authority service fees shall take effect on the 30<sup>th</sup> day after it is adopted by the Lane Fire Authority Board of Directors.

Adopted by vote of the Lane Fire Authority Board of Directors this 16<sup>th</sup> day of August, 2022.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
Presiding Officer

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

Certification of Copy

I hereby certify that the foregoing ordinance is a true and correct copy of the original ordinance on file with Lane Fire Authority.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Title: