

Clackamas Fire District #1



CLACKAMAS COUNTY FIRE DISTRICT #1 RESOLUTION 09-01 Rules for Cost Recovery Fees

Whereas, the Board of Directors (hereinafter referred to as “the Board”) of Clackamas County Fire District #1 (hereinafter referred to as “the District”) being aware of the need to develop adequate policies and regulations that enable the District to recover costs for services provided by District personnel; and

Whereas, Oregon Revised Statutes authorize local governments and other public bodies to charge private parties the reasonable estimate of the actual cost of providing services; and

Whereas, the Board has established Ordinance 09-01 that allows the District to collect fees related to providing services; and

Whereas, the District can use service cost recovery as a financial disincentive to encourage individuals and business owners to limit the unnecessary impact on District resources; and

Whereas, the District desires to establish a published system of regulations, including fees and charges, to recover the District’s reasonable estimate of the actual cost, including labor and material, repairs and depreciation of capital assets, and other overhead; now therefore be it

Resolved, that the fees and charges imposed by this resolution are not taxes subject to property tax limitations of Article XI, Section 11(b) of the Oregon Constitution; and be it further

Resolved, that the Board hereby adopts the rules, fees, and charges specified as set forth in the Fee Schedule attached hereto as Appendix A.; and be it further

Resolved, that such fees shall not be imposed as a penalty, but shall be calculated to recover the reasonable estimate of the actual cost to the District; and be it further

Resolved, that the Board will review these fees and charges every other year. The Board may amend the Resolution, Appendix A and the rules, fees and charges as future circumstances may require; and be it further

Resolved, that the Fire Chief is authorized to apply these rules consistent with the board policy and the resolution.

RULES

The Fire Chief, or designee, shall be responsible for reviewing all the cost recovery invoices for services provided by the District. The Fire Chief may, at his or her discretion, waive fees and other rules and determine if extenuating circumstances allow waiving cost recovery invoicing in a particular instance.

Invoices shall be addressed to the registered property owner, responsible party contacted at the scene, or occupant, or the person requesting services as decided by the Fire Chief, or designee.

A. AUTOMATIC MONITORED FIRE AND MEDICAL ALARM RESPONSES

Cost recovery fees may be imposed for responses to repetitive false (nuisance) responses to fire and medical alarms. No cost recovery fee shall be imposed for the initial four (4) fire alarm or medical responses to any residential or commercial occupancy during a calendar year. No cost recovery fee shall be charged if the fire alarm is a result of a fire. No cost recovery fee shall be charged if the medical alarm results in medical treatment by EMS personnel. Cancelled en-route incidents are considered billable events since the apparatus was deployed and thus an incident report must be generated. Fees will be based upon the reasonable estimate of the actual average cost of a fire alarm response.

B. FIRE CODE ENFORCEMENT FEES

Cost recovery enforcement fees will not be imposed for the initial fire and life safety occupancy inspection or the first subsequent re-inspection for identified fire code violations. The second re-inspection (third visit to occupancy) and all subsequent re-inspections for previously noted fire code violations may result in cost recovery enforcement fees being imposed. Fees will be based upon the reasonable estimate of the actual average cost of conducting a re-inspection.

Obtaining inspection warrants will result in cost recovery fees. All staff time, trip charges, and other expenses required to obtain the inspection warrant and all subsequent fire inspections to complete the inspection process will be invoiced as cost recovery fees.

Requests from contractors or business owners for new construction or maintenance inspections after normal business hours will result in cost recovery fees.

C. OPEN BURNING VIOLATION RESPONSES

Cost recovery fees may be imposed for any response to open burning violations. District personnel will maintain an educational approach to initial open burning responses but fees shall be invoiced for egregious violations and any open burning during a District-wide Burn Ban due to extreme fire danger. Open burning violations shall include violations of the locally adopted fire code, Oregon Revised Statute or DEQ regulations. Fees will be based upon the reasonable estimate of the actual average cost of an open burning response.

D. TRANSPORTATION ROUTE RESPONSES

Transportation routes include any roadway or roadway rights-of-way, any waterway, any railroad rights-of-way against which no taxes or assessments for fire protection are levied by the District or any aircraft crash. Cost recovery fees may be imposed for responses to incidents on or related to transportation routes. Transportation route billing will be limited to incidents lasting longer than two

hours and requiring more than three (3) fire response vehicles at the scene, which occur on roadways or roadway rights-of-ways and any incidents occurring on railway rights-of-ways, waterways, or involving aircraft crashes.

Transportation route responses will be billed using dispatch time records to determine the commitment of apparatus and personnel based upon Appendix A rates. Miscellaneous supplies and services, if applicable, will be based upon scene documentation of the officer in charge.

E. UNPROTECTED or INADEQUATELY PROTECTED AREAS

Cost recovery fees may be imposed for any service provided in unprotected or inadequately protected areas outside District boundaries. These responses will be billed on a per hour basis using dispatch time records to determine the commitment of apparatus and personnel. Miscellaneous supplies and services, if applicable, will be based upon scene documentation of the officer in charge.

F. PUBLIC RECORDS REQUESTS

Requests for production or inspection of public documents shall be in writing and shall state the name and mailing address of the requestor. The Fire Chief, or designee, shall be responsible for reviewing requested materials prior to releases and will determine if the records are statutorily exempt from disclosure including consultation with legal council, if appropriate. Public records requests received from an opposing party or its legal counsel during pending litigation will be referred to District legal counsel.

Inspection of public records is permitted, but does not include the right to enter restricted areas of the District's offices. Original records will not be removed from the District property. The District will not manipulate data to produce documents that do not exist, create lists from existing databases or accept standing requests for information that has not been created or retained at the time of the request. A staff member shall be present at all times while any public records are being inspected and the requestor shall pay for such time.

No charge will be imposed upon District residents, patients, or victims when requesting a basic incident report, up to one-quarter of an hour to complete, for incidents involving them specifically. The non-charge will require confirmation of identification and must comply with the Federal and Oregon HIPPA laws.

If locating a document will require more than one-quarter hour to complete, or will require extensive research or labor, the District will provide to the requestor an estimate of when the materials will be available and the costs associated with the request. The District will require a deposit equal to the total amount of the prescribed fee if the costs of producing the documents will exceed one-quarter hour of staff time. If the actual costs exceed the estimated costs, the District shall present an invoice for the balance of the costs. All fees are due prior to public record request documents being released.

G. AMBULANCE TRANSPORT FEES

If a patient(s) is transported using a Fire District ambulance to an emergency room or to a helicopter landing zone, the Fire District will invoice the patient using a Fire District invoice for emergency transportation services. Fees for ambulance transport will include using dispatch time records to

determine the commitment of apparatus and personnel, applying charges for all other costs as appropriate.

H. FACILITY RENTAL AND TRAINING CLASSES

Occasionally District facilities are rented out for training purposes by outside agencies. Often, classroom space in a District facility is traded for a seat(s) in the class presented by the outside instructors. Arrangements for facility use will be approved by the Fire Chief or the designee. Occasionally, District class attendance is opened to other agencies to offset the costs of ongoing training. Any profits realized through outside class participants will be deposited into the Training Enterprise Fund and be utilized to replace, repair, or enhance the District's capital assets involved in providing these training opportunities.

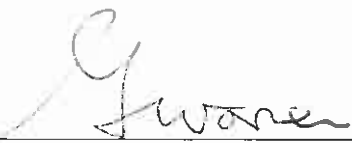
APPEALS

Appeals shall be initiated by contacting accounts receivable at 503-742-2600 and if resolved, appeals shall then be presented to the Fire Chief in writing within 30 days from the date of the invoice being received. Decisions of the Fire Chief are final.

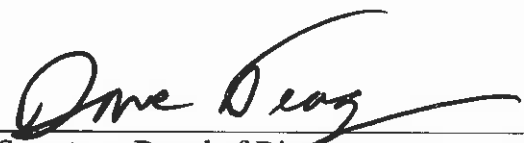
COLLECTION PROCEDURES

Fees will normally be billed within sixty (60) days of the service delivery date. If arrangements for payment are not made within sixty (60) days of billing, the invoice shall be considered delinquent and the District will proceed with the collections as deemed appropriate by the Fire Chief. All costs related to the collections procedures shall be added in addition to the Fire District invoiced fees when collection services are required.

Adopted this date April 20, 2009



Chairperson, Board of Directors



Secretary, Board of Directors

**CLACKAMAS COUNTY FIRE DISTRICT #1
RESOLUTION 09-01
Rules for Cost Recovery
FEE SCHEDULE – APPENDIX A**

Fees for service shall be limited to cost recovery. Methods of calculating the cost of services shall be identified and generally based upon the average cost or specific cost of providing the service. Cost calculations will include direct costs (apparatus, personnel, and any miscellaneous supplies and services) and indirect costs (administrative costs and overhead). Cost recovery calculation methodology for specific responses will be provided upon request.

The Office of the State Fire Marshal has established a standardized schedule of costs associated for apparatus and response (OAR 837-130 & Conflagration Act). This model will be used, when applicable, to guide the establishment of costs associated with apparatus usage.

Apparatus Costs

Ladder Truck/ Heavy Rescue	\$ 150.00	per hour
Fire Engine/ Heavy Squad	\$ 100.00	per hour
Ambulance	\$ 70.00	per hour
Brush Unit	\$ 60.00	per hour
Water Tender	\$ 50.00	per hour
Boat	\$ 50.00	per hour
Rescue/Water Rescue	\$ 45.00	per hour
Support Vehicle	\$ 20.00	per hour
Command Vehicle	\$ 15.00	per hour
Staff Vehicle	\$ 15.00	per hour

Personnel Costs

Suppression Personnel	\$ 40.00	per hour
Command Personnel	\$ 70.00	per hour
Inspection Personnel	\$ 50.00	per hour
Support Personnel	\$ 35.00	per hour
Volunteer Personnel	\$ 15.00	per hour

Note: If overtime is necessary, staffing costs will be billed at 1.5 times the above rates

Miscellaneous Supplies and Services

Disposable supplies used will be billed on specific usage and cost of replacement.
Cost of outside vendors or services used will be billed without markup.
Other expenses directly related to the service delivery.

Standardized Administrative Costs and Overhead

\$ 40.00 per processed invoice.
\$ 15.57 per hour Response Availability Cost for incident responses.
\$255.36 per incident for Support Services Cost.

Automatic Monitored Fire and Medical Responses

Nuisance automatic fire and medical alarm responses will be billed a \$125.00 minimum fee, which includes the first 30 minutes of apparatus and staff time. Response requiring multiple units and/or lasting longer than 30 minutes may be billed using established hourly rates for all apparatus and staff committed. In addition, standardized administrative costs and overhead will be added to each invoice for responses greater than the minimum fee.

Fire Code Enforcement Fees

If multiple re-inspections are necessary during fire code enforcement activities, these re-inspections will be billed a \$100.00 per re-inspection fee.

If a commercial establishment denies entry of the Fire District fire code enforcement personnel for inspection purposes, an inspection warrant will be required to proceed. All staff time, trip charges, and other expenses required to obtain the inspection warrant and all subsequent fire inspections to complete the inspection process will be invoiced as cost recovery fees including invoicing fees.

Occasionally, contractors or business owners request a new construction or maintenance inspection after normal business hours. If staff overtime is required, these activities will be billed using a two-hour minimum at \$100.00 per hour per staff member. This fee will include all transportation and overhead charges.

Open Burning Violation Responses

Open burning violation responses that are invoiced will be billed a \$125.00 minimum fee which includes the first 30 minutes of apparatus and staff time. Responses requiring multiple units, lasting longer than 30 minutes, or requiring additional site visits may be billed using established hourly rates for all apparatus and staff committed. In addition, standardized administrative costs and overhead will be added to each invoice for responses greater than the minimum fee.

Transportation Route Responses

Transportation route responses will be billed using dispatch time records to determine the commitment of apparatus and personnel. Miscellaneous supplies and services, if applicable, will be based upon scene documentation of the officer in charge. In addition, standardized administrative costs and overhead will be added to each invoice.

Response to Unprotected or Inadequately Protected Areas

Responses to unprotected areas will be billed on a per hour basis using dispatch time records to determine commitment of apparatus and personnel. Miscellaneous supplies and services, if applicable, will be based upon scene documentation of the officer in charge. In addition, standardized administrative costs and overhead will be added to each invoice.

Public Record Requests

Fees for service shall be limited to cost recovery. Methods of calculating the cost of services shall be identified and generally based upon the average cost of providing the time, materials of requested services, and overhead expenses (TMO). The Fire District will calculate fees for service for specific requests when a request is estimated to require more than one-quarter hour of staff time to accomplish. Cost calculations will include direct costs (transportation, personnel, and any miscellaneous supplies and services) and indirect costs (administrative overhead and facility costs).

No charge will be imposed upon District residents, patients, victims when requesting a basic incident report, up to \$12.00, for incidents involving them specifically. This non-charge will require confirmation of identification and must comply with Federal and Oregon HIPPA laws.

General requests estimated at less than one-quarter of an hour to complete (includes labor)

B & W Incident report (up to 5 pages)	\$12.00
Photocopying per B & W page	\$ 0.15
Photocopying per color page	\$ 0.25
CD Creation	\$ 5.00

For requests estimated at requiring more than one-quarter of an hour to complete

All requests will be estimated using TMO; staff time, materials, and overhead*

Staff wages will be billed at actual wage costs including benefits.	TBA
Invoice cost per mailing	\$40.00

Potential costs included but without additional markup:

- Archiving retrieval/restoring fees for off-site storage
- Contracted employee costs of hiring temporary staff if necessary
- Notary fees
- Disposable supplies calculated upon specific usage and cost of replacement
- Other actual costs associated with the request of TMO

Note: If overtime is necessary, staffing costs will be billed at 1.5 times normal rates

Ambulance Transport Fees

The Office of the State Fire Marshal’s standardized cost schedule will be used to determine direct costs of personnel and for apparatus. Supplies will be invoiced at cost. In addition, standardized administrative costs and overhead will be added to each invoice. Ambulance transport fees shall not exceed those authorized by the established Clackamas County Ambulance Service Agreement fee schedule.

Training Center and Training Class Fees

Each request for facility rental or class attendance will require an analysis of costs related to the request pertaining to class development, instruction, disposables, and other related costs. The Chief Training Officer will develop cost analysis for each specific class. Class costs may include depreciation of props as a portion of the fee. If outside agencies request instructor(s), fees if applicable, will be based upon a signed contract for service.