



**COUNCIL ORDINANCE NO. 20717**

**AN ORDINANCE ESTABLISHING A FIRE SERVICE FEE AND ADDING NEW SECTIONS 6.760, 6.765, 6.770, 6.775, 6.780, 6.785, AND 6.790 TO THE EUGENE CODE, 1971.**

**ADOPTED: February 10, 2025**

**SIGNED: February 11, 2025**

**PASSED: 5:3**

**REJECTED:**

**OPPOSED: Clark, Evans, Groves**

**ABSENT:**

**EFFECTIVE: March 14, 2025**



## ORDINANCE NO. 20717

### AN ORDINANCE ESTABLISHING A FIRE SERVICE FEE AND ADDING NEW SECTIONS 6.760, 6.765, 6.770, 6.775, 6.780, 6.785, AND 6.790 TO THE EUGENE CODE, 1971.

**Section 1.** Sections 6.760, 6.765, 6.770, 6.775, 6.780, 6.785, and 6.790 of the Eugene Code, 1971, are added to provide as follows:

#### **6.760 Fire Service Fee – Purpose and Use.**

(1) The provisions contained in sections 6.760 to 6.790 of this code are for the purpose of providing dedicated funding for fire and emergency medical services through the adoption of a Fire Service Fee.

(2) Fire Service Fee revenue shall only be used to fund existing and new fire and emergency medical services, to administer the Fire Service Fee, and to support the income-based assistance program authorized by section 6.785 of this code.

#### **6.765 Fire Service Fee – Definitions.**

For purposes of sections 6.760 to 6.790 of this code, the following words and phrases shall have the following meanings, unless the context requires otherwise:

*Building.* Improvements erected upon the land including but not limited to the following: single family homes, condominiums, accessory dwelling units, multi-unit apartment buildings, manufactured dwelling units, dormitories, attached or detached garages, barns, warehouse buildings, fraternity houses, motels/hotels, manufacturing facilities, office facilities, commercial buildings, industrial buildings, shopping centers, senior care facilities, medical facilities, educational buildings, government buildings, sports facilities, and churches.

*Developed property.* Real property that is located within the corporate limits of the City of Eugene, on which one or more buildings exist, and that has at least one associated stormwater service customer account.

*Person responsible.* The owner, agent, occupant, lessee, tenant, contract purchaser or other person having possession or control of the developed property.

*Stormwater Service.* The use of the city's stormwater system including, but not limited to, collection of stormwater discharged from property on which development exists and its deposit directly or indirectly into the city stormwater system. The terms "city stormwater system," "development," and "stormwater" have the meanings set forth in section 6.406 of this code.

*Stormwater Service Customer.* Any person who has a stormwater service account and is responsible for the payment of the charge for city stormwater service.

*Total Square Footage.* The cumulative total of square footage of the building (s), or portion(s) of the building(s), for which a stormwater service customer pays a stormwater service charge.

**6.770 Fire Service Fee – Establishment and Obligation to Pay.**

(1) A Fire Service Fee is hereby established. The obligation to pay the Fire Service Fee arises when the person responsible receives fire service benefits. It is presumed that all developed property receives fire service benefits.

(2) Unless another person responsible has agreed in writing to pay the Fire Service Fee and a copy of that written agreement is filed with the city, the person(s) paying stormwater service charges for the building(s), or portion(s) of building(s), associated with the stormwater service customer's account shall pay the Fire Service Fee.

(3) The Fire Service Fee shall be based on the total square footage of the building(s), or portion(s) of building(s), associated with the stormwater service customer's account and shall be set by the city manager using the procedures, criteria and limitations set out in section 2.020 of this code. The city manager shall review and may amend the Fire Service Fee on at least a biennial basis.

**6.775 Fire Service Fee - Billing.**

(1) Receipt of stormwater service will automatically initiate billing for the Fire Service Fee established by section 6.770 of this code.

(2) If the person responsible can demonstrate to the satisfaction of the city that the amount of the Fire Service Fee billed to the person responsible has been calculated based on an incorrect total square footage of the building(s), or portion(s) of building(s), associated with the stormwater service customer's account and the incorrect total square footage calculation has resulted in an overpayment by the person responsible, the Fire Service Fee billed to the person responsible shall be reduced, and the appropriate credit given (not to exceed 12 months of overpayment credit).

**6.780 Fire Service Fee – Delinquencies.**

Unless otherwise agreed to in writing by the city, the Fire Service Fee shall be billed monthly and if not paid within 10 days of the due date stated on the bill, the fee owed shall be deemed to be a delinquent fee. Delinquent fees may be recovered by the city using actions allowed by law, including city use of a private collection agency. Costs incurred by the city collecting delinquent fees can be recouped from the person responsible in accordance with the administrative fee order adopted by the city manager pursuant to section 2.020 of this code.

**6.785 Fire Service Fee - Income-Based Bill Assistance.**

A portion of the Fire Service Fee revenues shall be used to support an income-based Fire Service Fee bill assistance program. The qualifications and process for receiving Fire Service Fee bill-paying assistance shall be set by the city manager.

**6.790 Fire Service Fee – Administrative Rules.**

The city manager may adopt administrative rules pursuant to section 2.019 of this code in order to implement the provisions of sections 6.760 to 6.785.

**Section 2.** Fire Service Fee revenue shall be budgeted and accounted for in a separate fund.

**Section 3.** Notwithstanding Section 1 of this ordinance (providing that the Fire Service Fee shall be set by the city manager in accordance with section 2.020 of this code), the Fire Service Fee is initially established as follows:

<b>Rate Categories Total Square Footage</b>	<b>Monthly Fire Service Fee Charge Per Stormwater Service Customer Account</b>
50 –750	\$3
751 – 1,500	\$6
1,501 – 2,500	\$10
2,501 – 3,500	\$15
3,501 – 5,000	\$21
5,001 – 10,000	\$38
10,001 – 15,000	\$63
15,001 – 30,000	\$113
30,001 – 50,000	\$200
50,001 – 75,000	\$313
75,001 – 100,000	\$438
100,001 – 150,000	\$626
150,001 – 200,000	\$876
200,001 – 300,000	\$1,252
>300,000	\$1,752

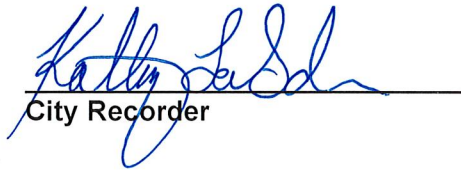
Amendments to this initially established Fire Service Fee may be made by the city manager in accordance with Section 1 of this ordinance. Notwithstanding Section 1 of this ordinance, an amendment to the Fire Service Fee that would increase the fee more than 5% within a 12-month period must be established by resolution of the council.

**Section 4.** The obligation to pay the Fire Service Fee established by Section 1 of this ordinance shall not arise before July 1, 2025.

**Section 5.** The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended, or repealed herein.

**Passed by the City Council this**

**10<sup>th</sup> day of February, 2025**

  
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City Recorder

**Approved by the Mayor this**

**11<sup>th</sup> day of February, 2025**

  
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Mayor