

ADMINISTRATIVE ORDER NO. 52-23-03-F
of the
City Manager of the City of Eugene

**SETTING FIRE AND EMS DEPARTMENT SERVICES FEES AND
SUPERSEDING THE FEE SCHEDULE ADOPTED BY 52-21-02-F.**

The City Manager of the City of Eugene finds as follows:

A. Section 2.020 of the Eugene Code, 1971, authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits.

B. Pursuant to that authority, on July 27, 2021, I issued Administrative Order No. 52-21-02-F making the most recent changes to the Fire and EMS Department Services and Fire Safety and Hazardous Materials Permit fees and adopting an updated Fire and EMS Department Services and Fire Safety and Hazardous Materials Permit Fee Schedule (“The Fee Schedule”).

C. On July 11, 2023, I issued Administrative Order No. 52-23-03, ordering that notice be given of the opportunity to submit written comments on my proposal to set new Fire and EMS Department Services and Fire Safety and Hazardous Materials Permit fees. The Notice specified that comments on the proposed amendments would be received for 15 days from July 19, 2023, the publishing date of the Notice. No comments were received within the time or in the manner described by the Notice.

D. Based on my investigation pursuant to the provisions of Section 2.020 of the Eugene Code, 1971, I find that the fees should be set as proposed. (See Exhibit B of this Order).

E. The unamended fees adopted by Administrative Order No. 52-21-02-F are incorporated into the Fee Schedule attached as Exhibit A to this Order.

On the basis of these findings, I order that:

1. The Fire and EMS Department Services and Fire Safety and Hazardous Materials Permit Fee Schedule attached as Exhibit A to this Order is the schedule of fees to be charged for the described services as of the effective date of this Order.

2. The Fee Schedule attached to Administrative Order No. 52-21-02-F is superseded by the Fire and EMS Department Services and Fire Safety and Hazardous Materials Permit Fee Schedule attached as Exhibit A to this Order, as of the effective date of this Order.

Dated and effective this 10th day of August, 2023.



Sarah Medary
City Manager

FIRE AND EMS DEPARTMENT SERVICES AND FIRE SAFETY AND HAZARDOUS MATERIALS PERMIT FEE SCHEDULE.

(Effective August 10, 2023)

<u>Fire Marshal Staff Services</u>	
<u>Service Description</u>	<u>Fees</u>
Regular time rate for fire and life safety training, consultation, public education, inspection, fire investigation, plan review, and special operations.	\$100 per hour, per staff member, one hour minimum.
Overtime rate for fire and life safety training, consultation, public education, inspection, plan review, and special operations. Four hour minimum for fire investigations.	\$150 per hour, per staff member, 4 hour minimum for investigations, 2 hour minimum for all other services.
Expedited operational permit fee - Applications received less than (10) ten business days prior to the event date.	\$250 plus cost of operational permit
Reinspection fee for a second reinspection where a failure to correct a noted violation after the first reinspection was conducted.	\$100 per hour, per staff member, one hour minimum
Basic Fire Incident Investigation Report	See Fire Report in City's adopted Public Records Requests Fee Schedule
Additional staff time spent compiling documents responsive to a public records request beyond the basic fire incident investigation report	See Staff Time Charges in City's adopted Public Records Requests Fee Schedule
Fee for submitting fire protection system installation, testing and maintenance reports through Brycer's The Compliance Engine.	\$30

False Alarm Response Fees:	
False fire alarm restitution fee - This fee is assessed after the fire department has responded to (3) three separate "false" fire alarms at the same reporting address in a 12 month period.	\$300
Nuisance fire alarm restitution fee -This fee is assessed following (4) four separate "false" fire alarm responses to the same reporting address in a 12-month period. Each subsequent "false" fire alarm reported after the initial (4) four occurrences will be assessed this fee per each occurrence.	\$500
Penalty if fee not paid within 30 days of date of notice imposing costs	5% of total due
Appeal from imposition of costs	\$200
Public records request – staff processing time.	See Staff Time Charges in City’s adopted Public Records Requests Fee Schedule

Required Operational Permits		
Operational permits include permit application reviews, document handling and a one-hour inspection with one inspector. Additional staff and time for inspections and re-inspections will be charged per the authorized hourly service rate.		
Fire Code #	Permit Description	Fees
105.5A	Fireworks, animal control	\$200 per event
105.5B.1	Fireworks, Special Effects Display	\$300 per event
105.5B.2	Fireworks, Limited Display	\$200 per event
105.5B.3	Fireworks, General Display	\$600 per event
105.5E	Institutions	\$200 per year
105.5.1	Additive manufacturing	\$0 – informational reporting only
105.5.2	Aerosol Products	\$200 per year
105.5.3	Amusement buildings	\$300 per year
105.5.4	Aviation facilities	\$200 per year
105.5.5	Carnivals and fairs	\$300 per event

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105.5.6	Cellulose Nitrate Film	\$0 – informational reporting only
105.5.7	Combustible dust-producing operations	\$200 per year
105.5.8	Combustible fibers	\$200 per year
105.5.9	Compressed gases	\$200 per year
105.5.10	Covered and open mall buildings	\$300 per year
105.5.11	Cryogenic fluids	\$200 per year
105.5.12	Cutting and welding	\$0 – informational reporting only
105.5.13	Dry cleaning	\$200 per year
105.5.14	Energy storage systems	\$200 per year
105.5.15	Annual exhibit or trade show – consistent configuration	\$400 per year
105.5.15.1	Single event exhibit or trade show	\$250 per event
105.5.16	Explosives	\$300 per shoot
105.5.18	Flammable and combustible liquids	\$200 per year
105.5.20	Fruit and crop ripening	\$200 per year
105.5.21	Fumigation and insecticidal fogging	\$200 per year
105.5.22	<p>Hazardous materials: <i>(Maximum \$3,500 per occupancy)</i></p> <p>Number of hazardous materials (HM) by chemical type reported:</p> <p>One to four</p> <p>Five to ten</p> <p>Eleven to twenty</p> <p>Twenty-one to thirty</p> <p>Thirty-one to fifty</p> <p>More than fifty</p>	<p>\$200 per year</p> <p>\$400 per year</p> <p>\$750 per year</p> <p>\$1,000 per year</p> <p>\$2,500 per year</p> <p>\$3,500 per year</p>

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105.5.23	HPM facilities	\$200 per year
105.5.24	High-piled storage	\$25 per year
105.5.25	Hot work operations	\$25 per year
105..5.26	Industrial ovens	\$200 per year
105.5.27	Lumber yards and woodworking plants	\$25 per year
105.5.28	Liquid- or gas-fueled vehicles or equipment in assembly buildings	\$25 per event
105.5.29	LP-gas	\$200 per year
105.5.30	Magnesium	\$25 per year
105.5.31	Miscellaneous combustible storage	\$25 per year
105.5.32	Mobile food units and food cart pods	\$200 per year
105.5.34	Open burning	\$25 per event
105.5.35	Open flames and torches	\$200 per event
105.5.36	Open flames and candles	\$25 per year
105.5.37	Organic coatings	\$200 per year
105.5.38	Outdoor assembly event	\$300 per event
105.5.39	Places of assembly	\$25 per event
105.5.40	Plant extraction systems	\$200 per year
105.5.42	Pyrotechnic special effects material	See 105.5B.1
105.5.43	Pyroxylin plastics	\$0 – informational reporting only
105.5.45	Repair garages and motor fuel-dispensing facilities	\$200 per year
105.5.46	Rooftop heliports	\$200 per year
105.5.47	Spraying or dipping	\$200 per year
105.5.48	Storage of scrap tires and tire byproducts	\$25 per year

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105.5.49	<p>Temporary membrane structures and tents:</p> <p>Single temporary membrane structure or tent with an area of more than 400 square feet but not more than 700 square feet that does not have sidewalls and is not used for cooking.</p> <p>Single temporary membrane structure or tent with an area of more than 400 square feet but not more than 700 square feet that has sidewalls or is used for cooking.</p> <p>Single temporary membrane structure or tent with an area of more than 700 square feet.</p> <p>Multiple temporary membrane structures or tents placed side-by-side that have an aggregate area of 700 square feet or less, do not have sidewalls, and are not used for cooking.</p> <p>Multiple temporary membrane structures or tents placed side-by-side that have an aggregate area of 700 square feet or less and one or more of the temporary membrane structures or tents has sidewalls or is used for cooking.</p> <p>Multiple temporary membrane structures or tents placed side-by-side, that have an aggregate area of more than 700 square feet.</p>	<p><i>See Below</i></p> <p>\$0 – informational reporting only</p> <p>\$250</p> <p>\$250</p> <p>\$0 – informational reporting only</p> <p>\$250</p> <p>\$250</p>
105.5.50	Tire-rebuilding plants	\$25 per year
105.5.53	Unique Conditions	\$200 per incident
105.5.54	Fire art performances	\$250 per event
105.5.55	Vacant or abandoned premises, structure or building survey	\$250 per survey
105.5.56	Places of temporary assembly	\$250 per event

**City Manager's EC 2.020(2) Findings for
Proposed Fire Marshal's Office Services and Operational Permit Fee Schedule**

Section 2.020(2) of the Eugene Code, 1971, requires that in determining the amount of any fee imposed by the City, the City Manager shall consider the factors listed below unless the factor(s) is irrelevant or inapplicable. The factors have been considered as follows:

(a) Applicable policies, enactments, and directives of the Council.

Findings: Section 8.010(1) of the Eugene Code authorizes the City Manager to adopt a local fire code and fees related to that code. Section 8.010(3) of the Eugene Code provides that the fire code adopted by the City Manager may include requirements for staff services and operational / construction permits, as well as provisions for payment of fees for such permits. Historically, new fire permit fees are considered during the fire code adoption cycle when new rules are promulgated to address issues related to various business practices.

(b) The amount charged by the city in the past.

Findings: The revisions made to the staff service and operational permit fees, as outlined in the proposed fee schedule, are in accordance with the amendments proposed for the 2022 Oregon Fire Code. It is worth noting that approximately eighty percent of these proposed fees represent an increase compared to the amounts previously charged by the city. However, following a thorough evaluation of the existing fee schedule and the implementation of revised staff workflow processes, approximately twenty percent of the proposed fees will be reduced in comparison to historical charges by the city. These adjustments in fees are justified due to the City's escalating expenses and economic forecast. Furthermore, they are in line with the fees imposed by other neighboring jurisdictions, including the City of Springfield. The proposed increase in fees is considered reasonable given these factors, as it will contribute to the City's financial stability without imposing an undue burden on the community.

(c) The full costs of providing the service supported by the fee.

Findings: The purpose of the proposed increase in the Fire Marshal's Office staff service and operational/construction permit fee schedule is to ensure that the costs involved in administering the plan review, inspection, and code enforcement process are accurately and fairly accommodated. The fees have been meticulously structured to encompass all essential workflow elements, such as document review, code analysis, travel time, meeting coordination, inspections/investigations, data input, information communication, and other associated administrative tasks.

(d) The amounts charged by other comparable providers.

Findings: Staff conducted a survey of various fire service providers across Oregon and

found that the following departments, including Clackamas Fire District, Tualatin Valley Fire & Rescue, Bend Fire & Rescue, and the Oregon Department of State Fire Marshal, have set their staff service and operational permit fees at a comparable level. This enables them to cover costs and charge for the time spent administering plan review, inspections/investigations, and code enforcement programs.

(e) The revenue needs of the City as determined by the adopted city budget.

Findings: The Fire Marshal's Office staff service and operational/construction permit fee schedule provides several significant benefits to the City as determined by the adopted city budget:

- These fees will generate additional revenue streams to support the City's financial needs and maintain essential services for its residents. By carefully evaluating the revenue requirements outlined in the budget, instituting such a schedule ensures that the City can meet its financial obligations without burdening taxpayers through increased taxation or cutting key programs.
- These fees enable the City to allocate resources more efficiently and fairly. By utilizing a system based on staff services and operational permits, the fees will align with the actual use of services, facilities, and resources by businesses and individuals. This approach encourages responsible behavior and ensures that those benefiting predominantly from City-provided services contribute proportionately to their maintenance and development.
- These fees promote transparency and accountability. By clearly defining and implementing fees based on the cost of providing specific services, the City encourages a more responsible and sustainable approach to budgeting. This transparency ensures that the City's financial decisions are informed, justifiable, and understandable to the public, fostering an environment of trust and accountability.

Factors listed above that are irrelevant or inapplicable in determining the amount of the fees, if any: There were no irrelevant or inapplicable factors identified.