

BOARD OF DIRECTORS

Kim Batchelor
Sue Curths
Tom Marks
Patrick Sieng
Mike Welter

CHIEF OF DISTRICT
Kyle McMann



FOUR CORNERS STATION
MIDDLE GROVE STATION
PRATUM STATION
MACLEAY STATION
BROOKS STATION
CLEAR LAKE STATION
LABISH CENTER STATION
COLLEGE STATION

MARION COUNTY FIRE DISTRICT NO.1

ORDINANCE NO. 2020-01

AN ORDINANCE ADOPTING COST RECOVERY PROCESS AND FEES FOR FIRE MARSHAL SERVICES

WHEREAS, ORS 478.410 authorizes a District to create fees for any service provided by the District; and

WHEREAS, the Fire Marshal Cost Recovery Fees established by this ordinance have been evaluated by the Board of Directors, and the Directors have reviewed the actual costs of providing Fire Marshal services; and,

WHEREAS, the Board of Directors has determined that it is fair, reasonable and appropriate to adopt a cost recovery mechanism to collect the costs of providing such services, and the Board of Directors has determined that such fees will be limited to cost recovery only and will not be used to generate revenue for the District; and,

WHEREAS, the Board of Directors previously adopted ordinance 2013-01, 2013-02, 2013-03, 2013-04, 2013-05, 2013-06, and 2013-07 which established individual fees for such services, and which are therefore repealed and replaced by this proposed ordinance;

IT IS HEREBY ORDAINED that Marion County Fire District 1 does hereby adopt Ordinance 2020-01, a Cost Recovery Process and Establishment of Fees for Fire Marshal Services as outlined in Appendix A; thereby repealing and replacing ordinance 2013-01 (False Alarm), 2013-02 (Reinspection), 2013-03 (Fireworks), 2013-04 (Canopies), 2013-05 (Child Care Facility), 2013-06 (Illegal Burning), and 2013-07 (Bonfire).

Fee Establishment: The Board may adjust 'Appendix A: Fee Schedule' by resolution as it deems necessary to recover its reasonable expenses. Current copies of the fee schedule are maintained and available at District offices.

Fee Collection: Fees are immediately due and payable within thirty (30) days of invoice. If the invoice is not paid, it shall be subject to the District's regular collection procedures.

This ordinance takes effect 30 days after its adoption. FIRST public reading: February 20, 2020

SECOND public reading: March 19, 2020

ADOPTED this 19th day of March, 2020.

President, Board of Directors

Attest:

Appendix A

2020 Cost Recovery Process and Fees for Fire Marshal Services

RECOVERY PROCESS	FEE
OPEN BURNING VIOLATION	\$ 75
*AFTER 1st RESPONSE	
SUPPRESSION OF NUISANCE FIRE	\$32/HR/PERSON + APP COSTS (OSFM)
FALSE ALARM FEE	\$ 90
*AFTER 1ST RESPONSE IN CALENDAR YEAR	
FIRE CODE ENFORCEMENT/INSPECTION	\$97/HR
*1 HR MIN. CHG	
BONFIRE PERMIT	\$ 97
CANOPIES & EVENTS PERMITs	
TEMP STRUCTURE	\$ 125
>500 PEOPLE EVENT	\$ 275
SPECIAL FACILITY INSPECTIONS	\$97/HR
*1 HR MIN. CHG	
FIREWORK & FLAME EFFECT DISPLAY/SELL PERMIT	\$ 100
PLAN REVIEW/CODE REVIEW	\$97/HR (MAX: \$1500 RES/\$3000 COMM)
PRE-APP MTG/COMMENTS	\$97/HR
CANNABIS FACILITY INSPECTION	\$97/HR
MOBILE RADIO COVERAGE	TBD
(ALT TO OFC 510)	

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 (personnel, apparatus, and any miscellaneous supplies and services) and indirect costs (administrative costs and overhead).

False Alarm Automatic Monitored Fire and Medical 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. Nuisance automatic fire and medical alarm responses will be billed a fee starting with the second response in a calendar year.

Fire Code Enforcement Fees/Inspections

Cost recovery enforcement fees will not be imposed for the initial fire and life safety occupancy or the first subsequent re-inspection for identified fire code violations. Fees will be based upon the reasonable estimate for the actual average cost of conducting a re-inspection.

If multiple re-inspections are necessary during fire code enforcement activities, these re-inspections will be billed at the established rate per re-inspection.

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.

Open Burning Violation Responses

Cost recovery fee may be imposed for any response to open burning violations or nuisance fires. District personnel will maintain an educational approach to initial open burning responses but fees shall be invoiced for egregious violations, second or subsequent responses to same address 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.

Bon Fire Permits

Cost recovery fee for processing and on-site inspection of outdoor fire utilized for ceremonial or recreation which exceeds two (2) feet in height and three (3) feet in diameter.

Canopies & Events

Cost recovery fee for processing and on-site inspection of Temporary Membrane Structures, Tents, Canopies, Carnival, Fair and Events over 500 people.

- A permit will be required for any temporary membrane structure, tent or canopy that is over 750 square feet.
 - Temporary Membrane Structure. An air inflated; air-supported, cable or frame covered structure as defined by the International Building Code and not otherwise defined as a tent.
 - Tent. A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents it protects.
 - Canopy. A structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.
- A permit will be required for a Carnival, Fair, Exhibition or Event over 500 people.
 - Carnival. A mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon, or by means of temporary structures, rides or any combination of both.
 - Fair. An enterprise principally devoted to the exhibition of products of agriculture or industry in connection with the operation of amusement rides or devices, or concession stands.
 - Exhibition. An event in which the display of products or services is organized to bring together the provider and user of the products or services.

Special Facility (Fixed or Mobile) Inspections

Cost recovery fee for processing and on-site inspection of special facilities to include; daycares, childcare facilities, motor vehicle dismantler facilities and others as determined by State Fire Marshal and Fire Code.

Fire Code Plan Review, Comments, Preliminary Meetings

Cost recovery fee for review for fire code reviews associated with building permits including but not limited to; pre-application/preliminary meetings, rural water supply, processing and extraction facilities, access standards, final occupancy inspection and testing and fire and life safety code compliance in conjunction with Marion County Building Department.

Firework/Flame Effect Display and Sell

Cost recovery fee for processing of permit and on-site inspection of retail, wholesale and public display fireworks, flame effect systems.

Definitions –

- Fireworks. “Fireworks” means any combustible or explosive composition or substance, or any combination of such compositions or substances, or any other article which was prepared for the purpose of providing a visible or audible effect by combustion, explosion, deflagration or detonation, and includes blank cartridges or toy cannons in which explosives are used, balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents or any other article of like construction or any article containing any explosive or inflammable compound, or any tablets or other device containing any explosive substances or inflammable compound;
- Public Display. An outdoor display using 1.3g fireworks. Fireworks are primarily aerial shells, but may also include 1.4g fireworks and/or special effects fireworks. All general displays must be conducted by a general display operator with a minimum of one assistant;
- Retail Fireworks. Retailers who want to sell fireworks to the general public for personal use;
- Wholesale Fireworks. Wholesale Fireworks include the purchase, transport, possession, packaging, storing, and sale of Fireworks, Retail Fireworks, Display Fireworks, or Agricultural Fireworks when otherwise in compliance with all applicable requirements of Oregon Revised Statutes (ORS) 480.110 through 480.165, Oregon Administrative Rule (OAR) Chapter 837, Division 12, and any other applicable federal, state, and local laws, rules, and regulations pertaining to fireworks.
- Flame Effect System. The complete assembly of interconnected components, devices, and/or appliances that provides all the functions necessary to fuel, monitor, supervise, generate, and control flame effects, including the emergency shutdown of the flame effects and, where necessary, the monitoring of external conditions that affect operation.
- Venue. The real property, facility, building, or room within a building, where flame effects are used, intended to be used, or are prohibited.

BOARD OF DIRECTORS

Kim Batchelor
Sue Curths
Tom Marks
Patrick Sieng
Mike Welter



FOUR CORNERS STATION
MIDDLE GROVE STATION
PRATUM STATION
MACLEAY STATION
BROOKS STATION
CLEAR LAKE STATION
LABISH CENTER STATION
COLLEGE STATION

CHIEF OF DISTRICT

Kyle McMann

To: Customers of MCFD#1 Fire Marshal Services

From: Kyle McMann, Fire Chief

Re: Fire Marshal Cost Recovery Process & Fees

On March 19th, 2020, the Marion County Fire District #1 Board of Directors adopted Ordinance 2020-01, AN ORDINANCE ADOPTING COST RECOVERY PROCESS AND FEES FOR FIRE MARSHAL SERVICES, which expanded upon the 2013 ordinances to provide a cost recovery mechanism to collect the costs of such services. These fees will be limited to cost recovery only and will not be used to generate revenue for the District. These fees are in addition and separate to any fees collected by other governmental entities.

Attached is Ordinance No. 2020-01 and Appendix A, the fee schedule for services. Invoices for fees will be provided, are due immediately, and payable within thirty (30) days of the invoice.

The Fire District continues to provide a high level of service and appreciates understanding of the recovery fees for service.



FIRE CODE / SPECIAL USE / PLAN REVIEW APPLICATION

Administrative Office
300 Cordon Rd NE
Salem, OR 97317

Project Information

Applicant Name: _____
Address: _____
Phone: _____
Email: _____
Site Address: _____
City: _____
Map & Tax Lot #: _____
Business Name: _____
Land Use/Building Jurisdiction: _____
Land Use/ Building Permit # _____

Project Description

Permit/Review Type (check one):

- Fire Code Enforcement/Inspection
- Pre-App Meeting/Fire Marshal Comments
- Plan Review/Code Review
- Tents or Temporary Membrane Structures (in excess of 750 square feet)
- Events greater than 500 persons
- Ceremonial Fire or Bonfire
(For gathering, ceremony or other assembly)
- Firework & Flame Display/Sell Permit
- Special Facility Inspection
- Cannabis Facility Inspection
- Mobile Radio Coverage

For Fire Marshal's Office Use Only

Permit # _____
Permit Type: _____
Submittal Date: _____

**Approval/Inspection Conditions (For
Fire Marshal's Office Use Only)**

This section is for application approval only

Fire Marshal or Designee Date

Conditions:

See Attached Conditions: Yes No
Site Inspection Required: Yes No

This section used when site inspection is required

Inspection Comments:

Final MCFD1 Approval Signature Date