

RESOLUTION No. 317

A RESOLUTION INSTITUTING SERVICE CHARGES FOR FIRE DEPARTMENT ASSISTANCE TO NON-RESIDENTS

WHEREAS, the 1983 Legislature passed into law a Statute providing that when a City responds to a call for assistance from an incident on a transportation route within the City, the City may recover from the person who is the cause in fact of the incident a portion of the costs incurred; and,

WHEREAS, principles of equity and fiscal integrity militate in favor of cost recovery as authorized by State Law,

NOW THEREFORE

BE IT RESOLVED

That as a matter of policy, when the Stayton Fire Department responds to a call for assistance arising from an incident involving an airplane crash or an occurrence on a transportation route within the City, the City shall recover from the person who is the cause in fact of the incident any cost incurred that exceeds \$400 for the following:

- (1) The contract or reasonable value of the use, including repairs, and depreciation, of the apparatus and equipment used in accordance with a State standardized-costs schedule issued by the State Fire Marshall; and
- (2) Other expenses reasonably incurred in furnishing the assistance.

This section authorizes the City to recover costs only from persons who are not residents of the City or who do not pay taxes or assessments for fire protection to the City.

As used herein, "transportation route" means a roadway, waterway or railroad right-of-way against which no taxes or assessments for fire protection are levied by the City.

Monies collected pursuant to this Resolution shall be deposited in the General Fund which supports the joint operation of the Stayton Fire Department.

PASSED BY THE COMMON COUNCIL THIS 19<sup>th</sup> DAY OF September, 1983.

Signed by the Mayor this 30<sup>th</sup> day of September, 1983.

Henry D. Porter  
Mayor

ATTEST:

Ellis Vandenberg  
City Administrator