

ORDINANCE 2013 -1

AN ORDINANCE OF THE ANDERSON VALLEY COMMUNITY SERVICES DISTRICT REVISING A SCHEDULE OF FEES, INCLUDING THE ADDITION OF NEW FEES

**The Board of Directors of the Anderson Valley Community Services District (The District)
does ordain as follows:**

Section 1: AUTHORIZATION AND PURPOSE

This ordinance to revise a schedule of fees including the establishment of new fees is adopted pursuant to Section 13916 of the Health and Safety code which provides that the District may charge a fee to cover the cost of any service which the district provides or the cost of enforcing any regulation for which the fee is charged. This ordinance rescinds any other Fee Schedule Ordinance or Resolution.

Section 2: APPLICABILITY

The schedule of fees set forth by this ordinance indicates fees charged pursuant to Sections 13917 and 13918 of the Health and Safety Code which provides that the District may charge residents of the district a fee which is less than the fee which it charges to nonresidents of the District and provides that the District may charge a fee to other public agencies.

Section 3: WAIVER OF FEES

Pursuant to Health and Safety Code Section 13919, after adopting by resolution policies and procedures governing waivers, the Board of Directors may waive payment of a fee when it determines that payment would not be in the public interest.

Section 4: COST RECOVERY OF SERVICES

A fee in accordance with the following schedules shall be paid to the district at the time of application or upon the receipt of an invoice for services rendered.

A. The following services may be cost recovered at the rate of \$40 per hour for office time and/or site visits to anyone receiving those services. This rate may be billed for the actual time required (one hour minimum, subsequent time rounded to the nearest half hour) to provide the required: research, written report, and phone consultation. Costs for site visits or inspection will include travel time plus mileage at the current IRS rate for all required or requested:

1. Plan Reviews (all types).
2. Subdivision Reviews (minor or major).
3. All work required for commenting on Use Permits or Amendments to Existing Use Permits.

4. Fire Suppression Equipment Inspection (all types.
5. Hydrant Tests or Inspections.
6. All work required for installation or removal of Combustible/Flammable Liquid Storage Tanks.
7. All requested inspections for licensing compliance.
8. All required outside professional services at actual cost plus a 10% administrative fee.

B. **The following rates for Apparatus, Equipment and Personnel Responding to Emergencies** may be charged to persons receiving any services but not residing in or owning property in the Anderson Valley Community Services District, and to non-taxpaying public agencies, **excluding fire agencies with mutual aid agreements.**

Resource Type	Personnel Included	Fee	Per
Engine/Pumper	3	\$175	Hour
Rescue Unit	1	\$150	Hour
Tender	1	\$150	Hour
Utility/Patrol/Command Vehicle	1	\$125	Hour
Vehicle Extrication Equipment		\$150	Incident
Consumable Supplies			*Actual Cost
Hired Equipment			*Actual Cost
Additional Required Personnel		\$50	Each/Hour

*A 10% administration fee will be added to the price of resources billed at actual cost.

C. **Standby Services Rates.** Rates for apparatus, personnel, and equipment to standby shall be the same as emergency response rates, but with the following exceptions.

1. Standby Apparatus Rates. The cost for apparatus will be the same as Emergency Response Rates, which does not include personnel costs. When members of the Fire Department are involved in emergency responses, they function as unpaid volunteers. The volunteer commitment does not include providing committed standby duty which often involves extended hours of work. Therefore, separate personnel charges shall apply as described below:
2. Standby Personnel Rates. All personnel - \$50 per hour each.

Note: The above rates are for straight time. Standard overtime rules will apply (time and a half over eight (8) hours a day or 40-hours per week, double time over 12-hours per day.)

Personnel Administrative Charges – a 10% Personnel Administrative Rate will apply to all personnel rates to cover the District’s cost to provide the personnel. This consists of the employer’s portion of payroll taxes and other administrative costs.

D. **The following rates for Administrative Services may be charged:**

Incidents Reports	\$ 5 each
Copies of Code Excerpts (1-3 pages)	\$ 3
Copies of other Reports	\$ 5 each
Photographs	\$10 each
Administrative Billing Fee	\$45 per Incident

E. Third Party Services

Any third party services required may be billed at the actual cost billed for the services.

F. Medical Supplies and Equipment. The following fees may be billed for the listed medical supplies and equipment. (**Note: Includes the cost of disposable equipment.**)

Packaging of Patients to Provide for Spinal Protection	\$50
Oxygen Administration	\$30
Ventilation	\$30
Oral or Nasal Airway	\$30
Splinting Materials	\$30
Defibrillation	\$100/Incident
Other Disposable Equipment or supplies	Actual Cost

Note: The cost of providing Scene Management, Traffic Control, Patient Assessments and Medical Evacuation Helicopter coordination, including establishing and securing helicopter landing zones, is included in the billing for apparatus.

G. False Fire Alarm Responses

ALARM COMPANIES – Alarm companies providing services within the response area of the Anderson Valley Fire Department may be billed for responses to third and subsequent false alarms utilizing the Apparatus, Equipment and Personnel fee schedule in Section 4, Paragraph B above, when no apparent valid cause is discovered for the alarm sounding. Examples of “valid cause” include, but are not limited to, activation of the manual pull station, the presence of smoke, or heat from any source. Alarm companies may be billed for all apparatus that respond to the call (if the alarm is canceled prior to any apparatus responding, no fees will be charged). Alarm companies may also be billed for Fire Department response to alarm companies testing equipment and failing to notify dispatch of the test.

PROPERTY OWNERS AND RESIDENTS – Property owners or residents residing with the District may be charged for the third and subsequent False Alarm responses to structures under their control if it is determined the alarms were generated by their actions and do not involve “good intent”, i.e., repeatedly triggering a false alarm by creating dust during cleaning and failing to notify the alarm company or repeatedly triggering a false alarm response from the normal operation of heating or cooking equipment.

Property owners or residents will be billed at one half the rates established in Section 4, Paragraph B.

H. Out-of-District Responses

The Anderson Valley Fire Department provides services to approximately 150 square miles that are adjacent to the district but not included in it. Property owners and residents within these areas receive services but provide no income to the district. Anyone receiving services in these areas (excluding those persons who also own property or reside within the District) may be charged for the cost of providing the service as defined in Sections A through E.

Section 5: SEVERABILITY

If any section, subsection, sentence, phrase or clause of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board hereby declares that they would have adopted the ordinance and each section despite the fact that any one or more sections, subsections, sentences, phrases or clauses be declared invalid.

Section 6: OTHER INFORMATION

All fees are due and payable within thirty (3) days of being invoiced. After 30 days, a service charge of 1.5% per month will be assessed on the remaining balance. Any fees unpaid after 60 days may be turned over to a collection agency.

Section 7: STRIKE TEAM RATES

Strike Team rates will be governed by separate contract.

Section 8: EFFECTIVE DATE

This ordinance shall take effect and be in force thirty (30) days after its adoption and prior to the expiration of fifteen (15) days from the passage thereof, and notice of said Ordinance will be published twice in the local area newspaper of general circulation in the County of Mendocino, State of California.

PASSED AND ADOPTED, by the Board of Directors of the Anderson Valley Community services District, County of Mendocino, State of California, on April 17, 2013, by the following vote:

AYE NAY ABSTAIN ABSENT

CHAIRPERSON HANELT

DIRECTOR WILDER

DIRECTOR McKENNA

DIRECTOR MARTIN

DIRECTOR DARLING

**Valerie Hanelt, Chairperson
Anderson Valley Community Services District**

ATTEST:

**Joanie Clark, Secretary
Anderson Valley Community Services District
Board of Directors**

**4/17/2013
Date**