

ORDINANCE 2021-02

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 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 \$65 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:

TYPE OF FEE	AMOUNT
Site Plan Review	Hourly Personnel cost according to Section 4A
Plan Review – Building Permit (Commercial/ Industrial/ Other)	Hourly Personnel cost according to Section 4A
Plan Review – Minor Subdivision (4 parcels or less)	Hourly Personnel cost according to Section 4A4A
Plan Review – Major Subdivision (more than 4 parcels)	Hourly Personnel cost according to Section 4A Min. 1 ½ Hr. plus \$10 per lot
Automatic Fire Sprinkler System (fee includes water flow and supervision alarm test, hydro of underground and overhead pipe, and flush). Plan Review	Hourly Personnel cost according to Section 4A Min. 1 ½ Hr. plus \$0.05 per sq. ft.
Sprinkler Underground Pipe Installation Existing Building – sprinkler alteration fee	\$130
1. Tenant improvement per space	a) \$65
2. Individual space > 3000 sq. ft.	b) \$65 plus \$0.25 per head
Automatic fixed fire extinguishing systems (non-sprinkler or dry chemical), includes plan review and operational test	\$130 each system
Fire alarm system – includes plan review and operational test	Hourly Personnel cost according to Section 4A \$0.05 sq. ft. per area covered
All construction and operational permits required under CFC 105.	Annual permit - \$98 each
(Including but not limited to: Fire hydrants and valves, waste handling facilities, plant extraction systems, High piled storage, flammable and combustible storage, etc.)	Hourly Personnel cost according to Section 4A Min. 1 ½ Hr. for plan checks and inspections
TYPE OF FEE	AMOUNT
Temporary Tent or Membrane Structure Permit	400sq.ft. to 699 sq. ft. \$65 700sq.ft. to 2499 sq. ft. \$98 2500sq.ft. to 4999 sq. ft. \$163 More than 5000 sq. ft. \$228 \$65 each tank (includes inspection)
Storage tank permits [removal, replacement, abandonment] fuel or oil, below or above ground	
Follow up inspection or test; due to malfunction or noncompliance	Hourly Personnel cost according to Section 4A (including previous uncharged inspections)

Additional re-inspections	Hourly Personnel cost according to Section 4A
On-site inspection (less than 72-hour notice) existing buildings and tents	Hourly Personnel cost according to Section 4A (2-hour minimum)
On-site inspections (after hours, when available) existing buildings and tents	Hourly Personnel cost according to Section 4A at time and a half (2-hour minimum)
Hydrant flow testing (existing)	Hourly Personnel cost according to Section 4A
Hydrant flow calculation	Hourly Personnel cost according to Section 4A
Project consultation fee	Hourly Personnel cost according to Section 4A (2-hour minimum). Half hour increments acceptable
Variance Application	\$65 per submission
All required outside professional services	Actual cost plus 10% admin fee

PENALTIES:

- **FAILURE TO SECURE OR MAINTAIN A REQUIRED FIRE DEPARTMENT PERMIT SHALL INCREASE THE COST OF SAID PERMIT TO TWICE ITS ORIGINAL FEE OR THE BELOW CORRECTION FEE FOR VIOLATIONS.**
- **FAILURE TO CORRECT A FIRE DEPARTMENT FIRE CODE VIOLATION BY THE REQUIRED TIME MAY RESULT IN A \$100 FEE PER DAY UNTIL VIOLATION IS CORRECTED.**
- **FAILURE TO FOLLOW A REQUIRED FIRE DEPARTMENT STOP WORK ORDER SHALL RESULT IN A \$200 FEE PER DAY UNTIL VIOLATION IS CORRECTED.**

B. **The following rates for Fire Department 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.**

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.

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. Fire Department 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. Emergency responders will receive 60 percent of the Standby Rate as pass through wages and the AVFD will retain the remaining 40% (primarily to offset any district coverage needs).

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	\$ 15 each
Copies of Code Excerpts (1-3 pages)	\$ 3
Copies of other Reports	\$ 5 each
Photographs	\$10 each
Administrative Billing Fee	\$45 per Incident
Burn permits (out-of-district)	\$10 each

Plotter products	\$5 sq. ft. per printed area
Creating maps/GIS work	Personnel cost according to Section 4A
AVFD Emergency Responder Fee	\$350 for each medical call
Heart Saver CPR Certified Training	\$60 for Public
BLS CPR Certified Training	\$50 for First Responders

E. Third Party Services

Any third-party services required may be billed at the actual cost billed for the services, actual cost plus 10% admin fee.

F. 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 within 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 cooling equipment.

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

G. 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.

H. The following rates for Ambulance Apparatus, Equipment and Personnel Responding to Emergencies may be charged to persons receiving any services. A 10% surcharge will apply to all out-of-district billings.

<u>Resource Type</u>	<u>Rate</u>
BLS Base Rate -Non-Emergency	\$1,800 per incident
BLS Base rate- Emergency	\$1,800 per incident
ALS Base Rate	\$2,574 per incident
ALS Inclusive	\$2,574 per incident
Ground ALS Rendezvous	\$1,800 per incident
Treatment Non-Transport (Scene Assessment)	\$300 per incident
Oxygen	\$140.40 per incident
Mileage	\$37.44 per incident
EKG Monitoring/Defibrillator	\$120 per incident
Ambulance Standby (Committed)	ALS/BLS Base Rate
Ambulance Standby (Available)	\$150 per hour
EMS Standby Personnel	\$50 per hour
BLS Disposable Supplies	\$300 per incident

Section 5: DEVELOPMENT FEE

A fee 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. (**Note:** This is three quarters of the maximum fees allowed)

<u>Land Use</u>	<u>Fees</u>
<u>Residential Development</u>	
Single Family Housing	Per Living Area Sq. Ft. \$2.13
Multi-Family Housing	\$2.54
Accessory Dwelling Unit	See Note
<u>Nonresidential Development</u>	
Retail / Commercial	Per Building Sq. Ft. \$2.14
Office	\$2.87
Industrial	\$2.25
Agriculture	\$1.31
Warehouse / Distribution	\$1.41

Note: Pursuant to Govt. Code § 65852.2(f)(3)(A), the Fire Impact and Emergency Response Fee for an accessory dwelling unit shall imposed proportionately in relation to the square footage of the primary dwelling unit. Accessory dwelling units less than 750 square feet of living area are exempt.

The District will add a 10% charge to the Fee that reflects the District's reasonable costs of administrating the fee and complying with all laws, ordinances, and regulations related to the Fee, including the requirements imposed by the County's Fire Protection Mitigation Fee Ordinance; and

Section 6: 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 7: OTHER INFORMATION

All fees are due and payable within thirty (30) 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 8: STRIKE TEAM RATES

Strike Team rates will be governed by separate contract.

Section 9: 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 October 20th, 2021, by the following vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
CHAIRPERSON HANELT				
DIRECTOR MCKENNA				
DIRECTOR CHRISTEN				
DIRECTOR MAILLIARD				
DIRECTOR SODERMAN				

Valerie Hanelt, Chairperson
Anderson Valley Community Services District

ATTEST: _____
Patty Liddy, Secretary **AVCSD**

10/202021
Date

