

(503) 538-9421
FAX (503) 538-5393

414 E. First St.
Newberg, Oregon 97132

January 16, 1992

Mr. Rich Nillis
FarmGro Supply
214 W. Hancock St.
Newberg, OR 97132

Dear Rich:

I have enclosed the overheads from this morning's meeting, the inspection forms, Ordinance No. 91-2305 and Resolution No. 91-1631.

The committee includes:

Rich Nillis, chair	
Leonard Johnson	Dennis Lewis

Also, the following individuals expressed interested in participating on the committee:

Fred Casey	Mike Olberding
Dave Ryan	Mike Kinneman
Mike Gunn	George Alexander
Gene Davis	Rick Green

Let me know when you want to meet and I will take care of arranging for the meeting room and notifying all the above people.

Sincerely yours,

Katherine L. Tri
Finance Director

\f-cmte
cc: Duane Cole
Elmer Christensen



Home of Old Fashioned Festival

CHRONOLOGY OF EVENTS
FIRE INSPECTION FEE

- Winter 1991 -- Policy Discussed and Ordinance Drafted
 -- Other Communities Researched
- Spring 1991 -- Ordinance Presented to Ordinance/Legislative Committee and
 Revisions were made.
- Policy Needed to Address:
1. Inventory of Hazards and Owners/Occupants
2. Check Safety Hazards, Fire Extinguishers.
3. Address Mandated Inspection Costs
4. Funds for Fire Prevention Program
- May 1991 -- Fee Concept Presented to Budget Committee
 -- Article in Chamber Newsletter June 1, 1991
- June 1991 -- Article in GRAPHIC
- June 18, 1991 -- Presented to City Council and Tabled until July 1, 1991
- July 1, 1991 -- Adopted Ordinance with One Resident Speaking in Support
- October 1991 -- Bills Sent Out
- November 6, 1991 -- Council Heard Concerns and Referred the Issue to the
 Ordinance/Legislative Committee
- January 16, 1992 -- Community Meeting

PURPOSE OF THE FIRE INSPECTION FEE:

1. Inventory Hazards in the Community. The City is currently developing a geographic information system. This system, in time, will allow the Fire Department to look up potential fire hazards by business. It also will provide the City with a schematic drawing of the facility and other data. The fire inspection fee will assist in gathering the information for this database.
2. Safety. The safety check list is meant as a guide for people to check their businesses to see that they are operating safely. The voluntary inspection is simple to follow and provides a quick way for businesses to make sure the facilities are safe.
3. Commercial businesses in the City are required to be inspected annually. While the City does not perform inspections of each business due to staff limitations, we do complete approximately 70% to 75% of the community each year. In the past, the residential property tax payers have subsidized this service. The \$25.00 charge pays for one-half of the cost of the inspection hours. This will assist us with fire prevention programming and other fire department programs.
4. The fire inspection fee will provide a resource of up to date information regarding hazards and who to contact in an emergency. This information is invaluable to the fire department and the police department. This information will be kept in the City's Communication Center.



P.O. Box 676
216 East Third St.
Newberg, OR 97132
(503) 538-4874



January 10, 1992

Sustained through United Way

Ordinance/Legislative Committee
c/o Duane Cole
City of Newberg
414 E. First Street
Newberg, Oregon 97132

Dear Members of the Committee:

Thank you for soliciting input on the fire inspection fee.

I am not able to attend the January 16th meeting to express my views of the fee. Consequently, I am putting my thoughts on paper.

It is reasonable for government to establish fees for required services if citizens vote to release essential government funds to support such services yet maintain equal service level requirements. This happened with the passage of Measure 5.

Chehalem House is a non-profit agency subsidized by government contract income. We expect cuts of 25% in the next fiscal year due to Measure 5.

Although fire inspection service and Chehalem House services are both government funded, Chehalem House does not have the contractual option of charging fees for service to replace lost revenue. In light of this, I believe that a government subsidized non-profit corporation should be exempted from the new fire inspection fee.

Please let me know the outcome of this meeting and your response to this request. Thank you.

Sincerely,

Deborah Portis-Cathers
Director

DPC:JH

ORDINANCE NO. 91-2305

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 1827 OF THE CITY OF NEWBERG PROVIDING FOR A FIRE INSPECTION PERMIT TO BE OBTAINED BY ALL PERSONS CARRYING ON A BUSINESS WITHIN THE CITY; PROVIDING A METHOD FOR ISSUING PERMITS AND PENALTIES.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1:

(a) As used in this ordinance, "person" means all domestic and foreign corporations, associations, syndicates, partnerships of every kind, joint adventures, societies and individuals transacting and carrying on any business in the City of Newberg, Oregon, or agents thereof.

(b) As used in this ordinance, "business" means professions, trades, occupations, shops, and all and every kind of calling carried on for profit or at fixed locations within the city; and further shall include non-profit businesses, entities, and agencies such as, but not limited to, schools, churches, colleges, or care homes located at fixed locations in the City.

(c) The agent or agents of a nonresident proprietor engaged in any business shall obtain the permit as herein provided and shall be liable for the penalties for failure to comply with the provisions of this ordinance to the extent and with like effect as if such agent or agents were themselves proprietors.

Section 2:

(a) This ordinance is enacted for the purpose of providing a method by which the City can determine that businesses are being carried on in accordance with the requirements of the Fire Code adopted by the City of Newberg for the purpose of providing added protection to the employees and owners of businesses and the residents of the City generally.

(b) This ordinance is not intended to be a revenue source for the City and the fees provided for herein are based, as nearly as possible, on one-half of the average actual cost to the City for providing fire inspection service, applications for the inspection service and the issuance of a fire inspection certification.

Section 3:

(a) Every person carrying on a business within the City of Newberg is hereby required to apply for, and obtain, a fire inspection permit as described herein.

(b) The fire inspection permit fee set by resolution of the City Council.

(c) No business shall be opened for the transaction of business after the effective date of this ordinance, without having first obtained the fire inspection permit described in this ordinance.

Section 4:

The fire inspection permit shall have a term of one year; however, reapplication shall be made by any person conducting a business, and an additional application fee paid, if the following occurs:

- (1) Change of location of the place of business; or
- (2) A material change in the type of business conducted.

Such reapplication shall be made prior to the effective date of the changes described.

Section 5:

(a) All permits shall be issued by the City Manager or designee of the City of Newberg upon written application therefor.

(b) Fire inspection permits shall be revocable by the City Manager upon a showing by the City that the holder of the fire inspection permit has failed to comply with any of the provisions of the Uniform Fire Code adopted by the City of Newberg or of this ordinance. Revocation by the City Manager shall be appealable to the City Council at the next regularly scheduled meeting or a special meeting called in accordance with the Council rules.

(c) The application for such permit shall contain the following information:

- (1) The name of the business.
- (2) The business mailing address and telephone number.
- (3) The street address of the place of business.
- (4) The nature or type of business.
- (5) The date of establishing the business.
- (6) The name, address and telephone number of the person owning the business.
- (7) The date of the application.
- (8) The signature of the applicant.
- (9) Additional information, as required, to provide fire safety information to the fire inspector.

(d) The fire inspection permit and the form of application shall be as approved by the City Manager.

Section 6:

Any person violating any of the provisions of this ordinance shall have committed a City Class 4 civil infraction and shall be processed in accordance with the procedure set forth in the "Uniform Civil Infraction Procedure Ordinance" of this City. This penalty provision shall be in addition to, and not in lieu of, any other penalties which may be assessed against such person for violations of other provisions of the codes of the City of Newberg. (As amended by Ordinance 2136, 4-1-85.)

Section 7:

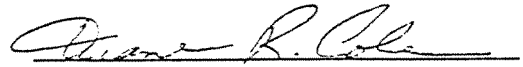
The Council of the City of Newberg, Oregon, hereby declares that it has adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared to be invalid, unenforceable, or unconstitutional by a court of competent jurisdiction, and if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Passed by the Council of the City of Newberg this 1st day of July, 1991 by the following vote:

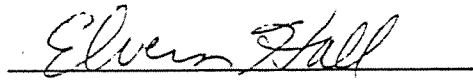
AYES: 5

NAYS: 3

ABSENT: 0


Duane R. Cole, City Recorder

APPROVED by the Mayor this 1st day of July, 1991.


Elvern Hall, Mayor

cc\fipermit

RESOLUTION NO. 91-1631

A RESOLUTION ESTABLISHING A FIRE INSPECTION PERMIT FEE TO BE OBTAINED BY ALL PERSONS CARRYING ON A BUSINESS WITHIN THE CITY.

WHEREAS, the City of Newberg Fire Department provides fire inspection services to institutional, commercial and industrial property owners within the City; and

WHEREAS, the City of Newberg, by ordinance, has established a fire inspection permit fee to be obtained by all persons carrying on a business or requiring a fire inspection within the City; and

WHEREAS, the permit fee is not intended to be a revenue source for the City and the fees are, as nearly as possible, to be based on one-half of the average actual cost to the City for providing fire inspection service to institutional, commercial and industrial properties, as well as the application cost to do business and the issuance cost for the inspection permit; and

WHEREAS, the permit fee is also a method by which the City can determine that businesses or non-profit entities are being carried on in accordance with the requirements of the Uniform Fire Code of the City of Newberg.

NOW, THEREFORE, BE IT RESOLVED that the City of Newberg shall charge a fee as follows:

Base Permit	\$25.00
1-2 Hour Inspection	50.00
2-3 Hour Inspection	75.00
3-4 Hour Inspection	100.00
4-5 Hour Inspection	125.00
5-6 Hour Inspection	150.00
6-7 Hour Inspection	175.00
7-8 Hour Inspection	200.00
8-9 Hour Inspection	225.00
9-10 Hour Inspection	250.00
10-11 Hour Inspection	275.00
11-12 Hour Inspection	300.00
12-13 Hour Inspection	325.00
13-14 Hour Inspection	350.00
14-15 Hour Inspection	375.00
15-16 Hour Inspection	400.00
16-17 Hour Inspection	425.00
17-18 Hour Inspection	450.00
18-19 Hour Inspection	475.00
19-20 Hour Inspection	500.00

FURTHER, BE IT RESOLVED, that all businesses and non-profit businesses shall pay the minimum fee of \$25.00 per year. Additional charges shall be paid on a per hour basis if the business or non-profit business is inspected during the fiscal year.

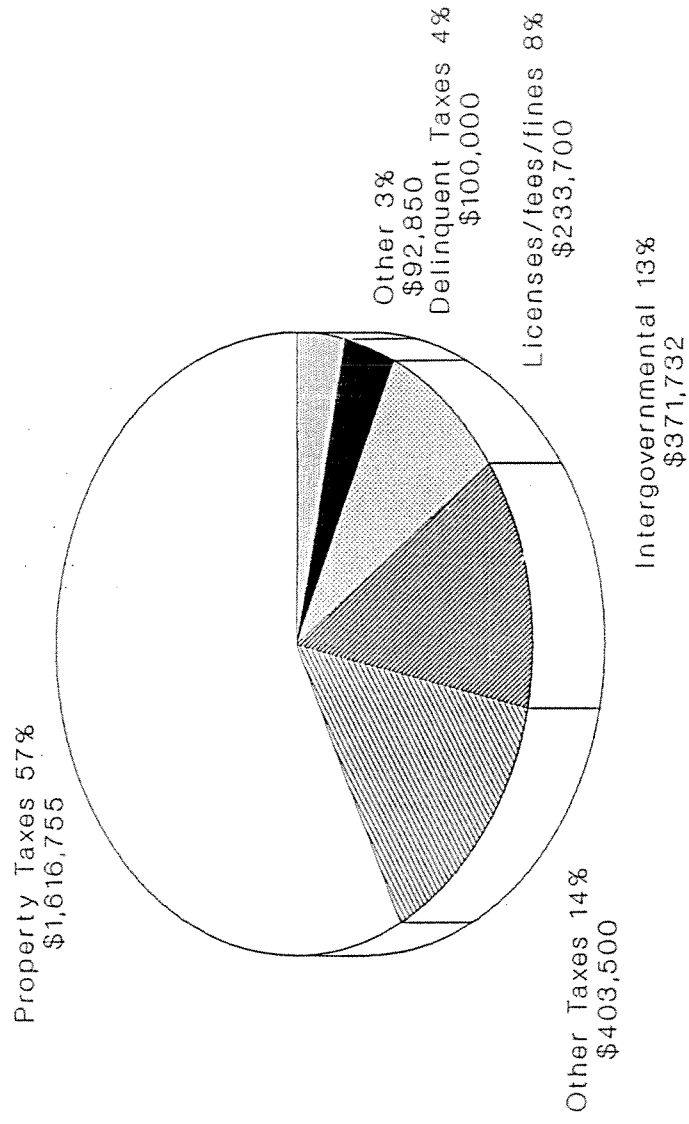
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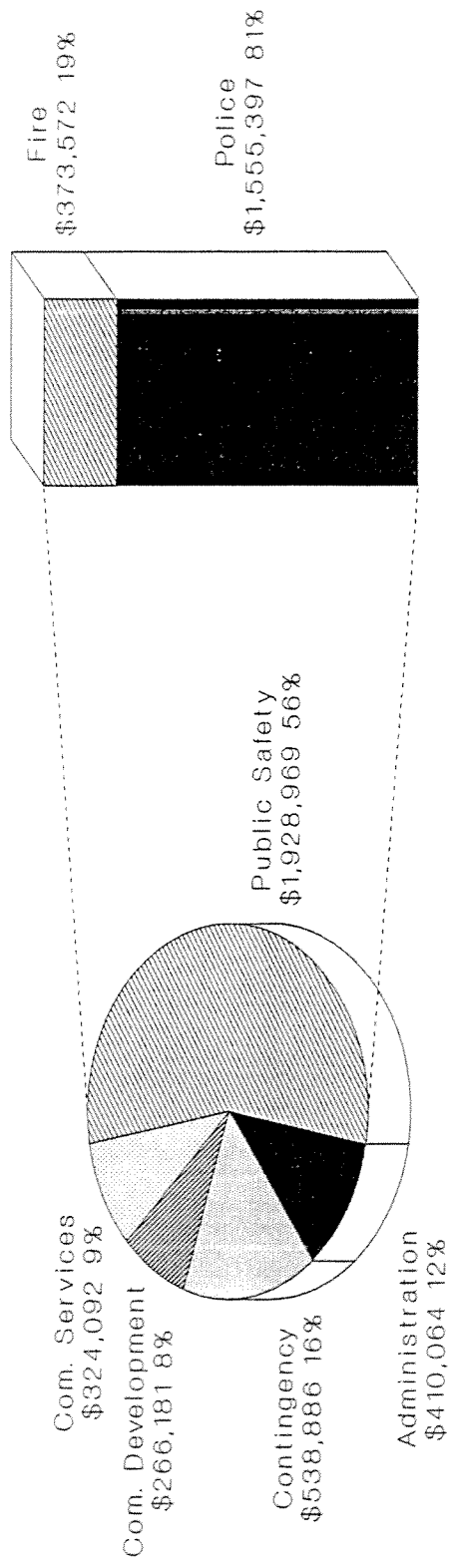
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Current Revenue Distribution

Fiscal Year 1992

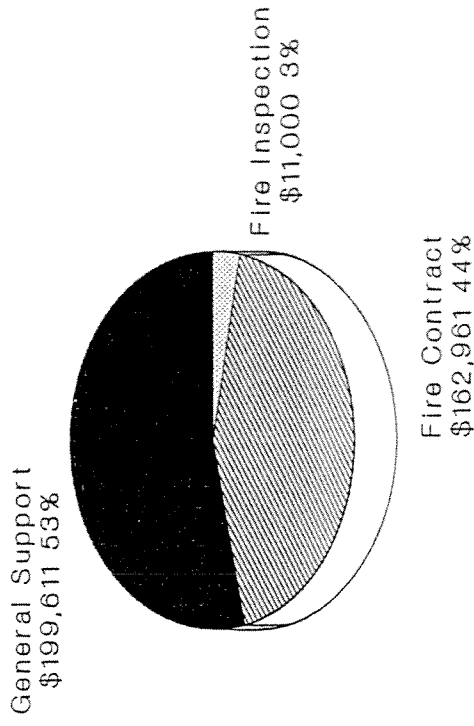
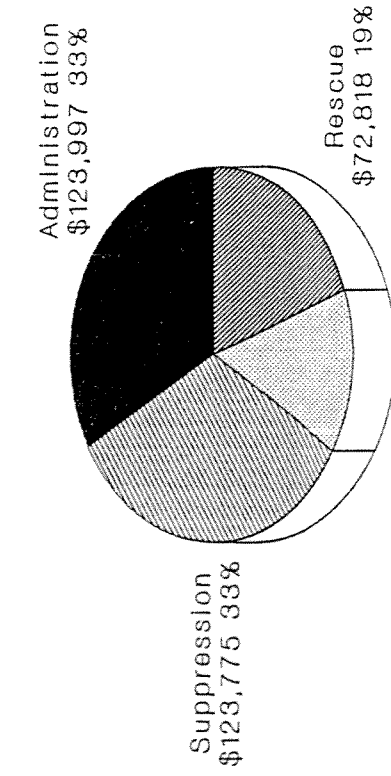


1991-92 General Fund Budget



FIRE DEPARTMENT BUDGET

FISCAL YEAR 1991-92 = \$373,572

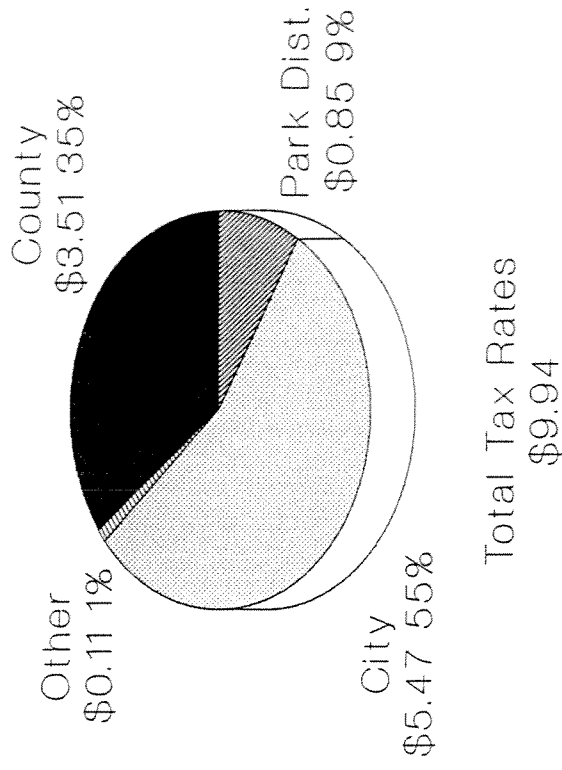
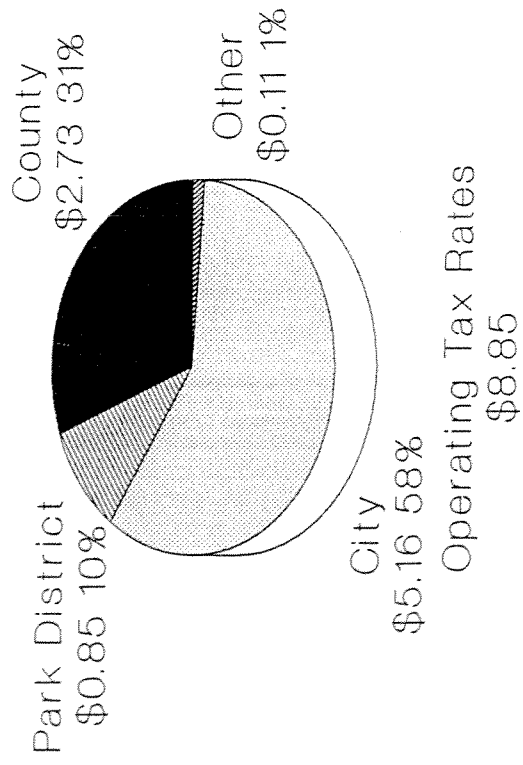


Expenditures

Resources

General Fund Only

1991 Tax Rates



CITY OF NEWBERG - FIRE DEPARTMENT
FIRE INSPECTION FEES PERMIT

APPLICATION FORM

Name of Business: _____

Owner/Lessee: _____ Business Phone: _____

Street Address: _____

Type of Business (Retail, Service, etc.): _____

Number of Full-Time Equivalent Employees: _____

Who can we contact after hours in case of emergency:

Name: _____ Phone: _____

Name: _____ Phone: _____

This form is to be completed by Businesses that do not fall under the Self Inspection category.

If more than one type of Business operates under the Business named above, please provide additional information on the type of Business and the number of employees on a separate paper and attach.

Basic Yearly Fee - \$ 25.00, payable on or before November 1, 1991.

If a Business is inspected by a Fire Inspector in the next year an additional charge will be made on the time taken for the inspection at the following rates.

There will be a minimum charge of \$ 25.00, or \$ 25.00 per hour for each hour needed to complete the inspection.

CITY OF NEWBERG - FIRE DEPARTMENT

414 E. 2nd STREET - NEWBERG, OR 97132

(503) 538-7441

SELF INSPECTION WORKSHEET

Name of Business _____ Owner or Lessee _____ Business Phone _____

Street Address _____

Type of Business _____ (EXAMPLE: Retail, Service, etc.) Full-time Equiv. Employees _____ (FTE)

IF MORE THAN ONE TYPE OF BUSINESS OPERATES UNDER THE BUSINESS NAMED ABOVE, PLEASE PROVIDE ADDITIONAL INFORMATION ON THE TYPE AND EMPLOYEES ON A SEPERATE PAPER AND ATTACH.

Instructions: Please check "Yes" or "No" to answer each question or "NA" if the question does "Not Apply". All "No" answers indicate unsatisfactory conditions requiring attention. A comment on each such item should be made on the reverse side showing the action taken to correct. When this worksheet is completed and all corrections are made, please sign and date the bottom of the worksheet. Return this worksheet within (30) days to the above address of the Fire Department. If you wish assistance or have any questions on filling out the worksheet, please call 538-7441 and ask for Fire Inspection personnel.

EXITS:

- Are exitways and doors easily recognizable, unobstructed and unlocked during Business hours? ☐ Yes ☐ No ☐ NA
- If required, are all exit signs and emergency lighting systems working properly? ☐ Yes ☐ No ☐ NA
- Do all doors and latches work easily? ☐ Yes ☐ No ☐ NA

ELECTRICAL:

- Does electrical panel have 30 inches of unobstructed area in front, breakers labeled and have no restrictions to keep them from operating? ☐ Yes ☐ No ☐ NA
- When all normal electric load is on panel, are all areas of the panel cool? ☐ Yes ☐ No ☐ NA
- Are all electrical covers for outlets, switches and junction boxes in place? ☐ Yes ☐ No ☐ NA

HOUSEKEEPING:

- Are spaces, including under stairways and around heating devices kept free of accumulated combustibles? ☐ Yes ☐ No ☐ NA
- Are ash trays emptied into non-combustible containers? ☐ Yes ☐ No ☐ NA
- Is the outside dumpster kept at at least 10 ft. away from combustible walls, window openings, doors and is lid kept shut? ☐ Yes ☐ No ☐ NA
- Are flammable and combustible liquids such as gasoline, diesel and stove oil, stored in a non-flammable container and do not exceed 5 gallons in total quantity? ☐ Yes ☐ No ☐ NA
- Are back rooms and storage areas kept clear of paper, cardboard and other flammable materials? ☐ Yes ☐ No ☐ NA
- Are all electrical devices properly grounded? ☐ Yes ☐ No ☐ NA
- In areas where extension cords are permissible, are cords heavy enough for load and do not hang from nails or any metal? ☐ Yes ☐ No ☐ NA

HEATING:

- Is heating equipment in good working order, unit and filter free of lint and dust accumulations? ☐ Yes ☐ No ☐ NA
- Are portable electric heaters equipped with automatic tip-over shut-off devices? ☐ Yes ☐ No ☐ NA

FIRE PROTECTION:

- Are fire extinguishers properly mounted, accessible and inspected by a certified fire extinguisher company within the past year? ☐ Yes ☐ No ☐ NA
Date of inspection: _____
- Are employees familiar with the use of portable extinguishers? ☐ Yes ☐ No ☐ NA

MISCELLANEOUS:

- Are emergency 911 stickers on phones? ☐ Yes ☐ No ☐ NA
- Are holes in walls and ceilings patched and ceiling tiles in place? ☐ Yes ☐ No ☐ NA
- Are propane cylinders stored outside the building? ☐ Yes ☐ No ☐ NA
- Is the street address visible and permanently posted on building? ☐ Yes ☐ No ☐ NA

DATE _____

PRINT OR TYPE NAME OF RESPONSIBLE PARTY _____

SIGNATURE OF RESPONSIBLE PARTY _____

Who can we contact after hours in case of emergency? Name _____ Phone _____

Name _____ Phone _____

PLEASE RETURN THE WHITE COPY OF THIS COMPLETED WORKSHEET TO: NEWBERG FIRE DEPARTMENT (above address)