

## ORDINANCE NO. NS-2480

### AN ORDINANCE AMENDING BEND MUNICIPAL CODE SECTION 12.15.005, REMOVING THE 50% COST RECOVERY CAP FOR SIGN PERMITS AND PLANNING GENERAL SERVICES

#### Recitals

- A. Bend Code 12.15.005 establishes the cost recovery rate that shall be used when determining rates, fees and charges for delivery of City services. Most City of Bend fees are established at a level that recovers the average full cost of service, with the exception being the following programs that have received General Fund support for a portion or all of the costs since at least 2014: sign permits, planning general services, and ambulance and EMT services for residents of the City and Fire District.
- B. The 2019-2021 biennial budget withdrew General Fund financial support for City initiated General Plan/Development Code amendments, pre-application meetings, sign permits, and planning general services.
- C. Council did not increase fees for the 2019-2021 biennium to cover these services. The Planning Fund absorbed the reduction in revenue through a decrease in ending reserve balances.
- D. The 2023-2025 biennial budget approved by the Bend Budget Committee on May 23, 2023, reflects a proposed increase in Planning fees and a reduction in ending reserve balance in the Planning Fund to cover the cost of delivering these planning services.
- E. This code change aligns with the recommended biennial budget allowing the City to charge the full cost of service for sign permits and planning general services, consistent with most City fees.
- F. Fees will be set by the City Council by adoption of a separate fee resolution on June 21, 2023.

#### **Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:**

- Section 1.** Bend Municipal Code Section 12.15.005 is amended as shown in the attached Exhibit A.
- Section 2.** All other provisions of the Bend Municipal Code remain unchanged and in full force and effect.

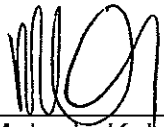
**Section 3.** If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

First Reading Date: June 7, 2023.

Second Reading and adopted by roll call vote on June 21, 2023.

YES: Mayor Melanie Kebler  
Councilor Barb Campbell  
Councilor Megan Perkins  
Councilor Ariel Méndez  
Councilor Mike Riley

NO: none

  
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Melanie Kebler, Mayor

ATTEST:

  
\_\_\_\_\_  
Robyn Christie, City Recorder

APPROVED AS TO FORM:

  
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Mary A. Winters, City Attorney

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### 12.15.005 Council Resolution.

A. The City Council may, by resolution, establish and amend fees or service charges (collectively “fees”) for any and all services provided by the City. The fee shall not exceed the average cost of providing the service. A list of City fees shall be available for public inspection. The amount of each fee shall be set at an amount calculated to cover the City’s full costs of providing the service, except as provided in subsection (B) of this section.

B. The fee for ~~the following services~~ Ambulance and EMT services for City and Fire District residents shall be set at 50 percent of the cost of providing the service.:

~~1. Sign permits.~~

~~2. Ambulance and EMT services for City and Fire District residents.~~

~~3. Planning general services.~~

~~C. Through the fiscal year ended June 30, 2019, the City General Fund provided financial support for the services listed in subsection (B) of this section, as well as City-initiated Comprehensive Plan/Development Code amendments. With the exception of ambulance and EMT services for City and Fire District residents, General Fund support for these services is suspended for the 2019-2021 biennium from July 1, 2019 through June 30, 2021.~~

CD. The services for which the City may impose fees include, but are not limited to, all services and categories listed in the City Fees Resolution in effect at the time of service.

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