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3 **RESOLUTION NO. 2022-39**

4 **A RESOLUTION OF THE CITY OF LINCOLN CITY,**
5 **ADOPTING / CLARIFYING WATER RATES FOR FIRE FLOW TESTING AND**
6 **ASSOCIATED FEES**
7

8 **WHEREAS**, the City of Lincoln City has established rates, fees and charges for
9 various services and products; and

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11 **WHEREAS**, the City has recently been requested by the Fire Marshall to
12 require the performance of various fire flow testing pursuant to the requirements of
13 the Oregon Fire Code; and

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15 **WHEREAS**, the City does not have clearly established fees / charges
16 concerning such testing; and

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18 **WHEREAS**, ORS 294.160 mandates that the City provide an opportunity for
19 public comment when fees or charges are established or increased; and

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21 **WHEREAS**, on September 12, 2022, the City Council provided an opportunity
22 for public comment on the proposed new fees and charges proposed by this
23 Resolution; and

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25 **WHEREAS**, Council desires to establish fees to recover the cost of any use of
26 the Water Distribution Supervisor's time and to clarify that the property owner is
27 responsible to pay for water used during required testing at the ten current water
28 rate;

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30 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
31 **OF LINCOLN CITY, AS FOLLOWS:**

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33 **Section 1.** The recitals set forth above are true and correct and incorporated
34 herein by this reference.

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36 **Section 2.** If the Water Distribution Supervisor is called to a fire flow test, the
37 property owner for whom the test is performed shall be responsible for
38 reimbursing the City for the actual cost of the Supervisor's time on-site. Actual
39 cost is calculated based on the Supervisor's rate, including salary and benefits
40 [loaded rate].

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42 **Section 3.** The property owner for whom the test is performed shall be


1 responsible for paying for all the water used during the fire flow test at the then
2 current water rate applicable to the subject property and use.

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4 **Section 3.** The attached Exhibit A schedule of rates, fees and charges is
5 hereby adopted as the current rates, fees and charges for the any Fire Flow
6 testing, and such schedule is incorporated herein by this reference.


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8 **Section 4.** The above referenced fees and charges will be incorporated into
9 the omnibus fee resolution to be adopted later this year.

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11 **Section 5.** This Resolution is effective as of the date of its adoption.


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13 **PASSED AND APPROVED** by the City Council of the City of Lincoln City,
14 Oregon, this 12th day of September, 2022.

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17 
18 _____
19 SUSAN WAHLKE
20 MAYOR

21
22 ATTEST:

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25 
26 _____
27 JAMIE YOUNG
28 CITY RECORDER

29
30 APPROVED AS TO FORM

31
32 
33 _____
34 RICHARD APPICELLO
35 CITY ATTORNEY