

CHAPTER 13.34 ST. HELENS GENERAL SERVICES FEE

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13.34.010 Short Title

The provisions of this chapter shall be known and may be cited as the “City of St. Helens General Services Fee” ordinance.

13.34.020 Purpose and Intent

(1) The purpose of the General Services Fee is to provide funding for staffing, programs and services provided by the departments of the General Fund: police, library, parks, recreation, community development, administration, information technology, and municipal court, also known as General Services. The General Services safeguard, facilitate, and encourage the public health, safety, welfare and livability of the residents, businesses, and visitors of the City of St. Helens. Stable and reliable General Services provide a multitude of economic and social benefits to the public, including but not limited to:

- Protection of life and property
- Reduction of the incidence of crime
- Dependable response by law enforcement
- Access to judicial review in courts
- Enforcement of municipal ordinances and traffic laws
- Promotion of business and industry
- Providing library services, such as children’s reading and literacy events, purchasing books for all users to access, providing community space for citizens when using library services;
- Providing parks and open space and recreational opportunities to the community;

- Providing the planning and building services that ensure building and development adhere to land use laws and building codes as provided by the State and St. Helens Municipal Codes.

The City of St. Helens City Council finds and determines the necessity of this General Services Fee to provide a funding mechanism to help pay for the benefits of the General Fund services and to continue to provide an acceptable level of service.

(2) The intent of the General Services Fee is to provide a funding mechanism to pay for the benefits conferred on residents, businesses, and visitors of the city, as provided by the General Fund.

Since all developed property receives a direct or indirect benefit from the staffing, programs and services provided by the police, library, parks, recreation, community development, administration, information technology (IT) and municipal court departments, imposing a General Services Fee is necessary and proper use of the city's power to pay for the benefits conferred.

13.34.030 Definitions

(1) "Developed property" means a lot, parcel or tract of real property that is used as a dwelling unit (as defined by SHMC Title 17), business, or other activity in the city. It is presumed that a developed property served by city water, stormwater, and or wastewater utility services receives a direct or indirect benefit from the police, library, parks, recreation, community development, administration, information technology, and municipal court departments funded by the General Fund.

(2) "Equivalent Dwelling Unit" means the number of living units, office spaces, or connections to a single meter. Examples include, but are not limited to, a single family-residence is one EDU, a duplex with one meter is two EDU's, an apartment complex EDU is per total number of apartment units, an RV park EDU is per hook up. A commercial use is per office space, per meter, so that one office space with one meter is one EDU. An industrial use is per building and per meter, so that one building with one meter is one EDU.

(3) "Person" means a natural person, unincorporated association, tenancy in common, partnership, corporation, limited liability company, cooperative, trust, governmental agency (including the State of Oregon and Columbia County, but excluding the City of St. Helens), or other entity in law or in fact.

(4) "Responsible party" means the person responsible for the utility account. Unless another responsible party has agreed in writing to pay the General Services Fee, and a copy of that in writing is filed with the city, the person paying the city utility charges is the responsible party. If there is no service to or billing for the developed property, or if services or billing has been discontinued, the responsible party is the person having the right to occupy the property.

13.34.040 Establishment of General Services Fee

(1) Effective July 1, 2026, and ending June 30, 2035, if the ballot measure referring this ordinance receives voter approval by a majority of the votes cast at the citywide election held on May 19, 2026, a General Services Fee is established and imposed on all utility accounts within the corporate limits of the City of St. Helens.

(2) During the Fiscal Year 30/31, the Budget Committee will review the General Services Fee and make a recommendation to City Council about whether to continue the fee.

(3) The General Services Fee for each utility account shall be based on a monthly amount applied to the number of equivalent dwelling units allocated to a utility account. The General Services Fee shall be prorated based on utility billing cycles and, for utility accounts that are opened or closed during the period the General Services Fee is in effect, the date the utility account is opened or closed.

(4) The General Services Fee is a personal obligation of the person responsible for payment of the city utility account. No lien will attach to any developed property because of nonpayment of the General Services Fee.

(5) The General Services Fee applies to all City of St. Helens utility accounts, including those that serve the local, state, and federal governments and to city utility accounts that service premises that are entitled to an exemption from or deferral of ad valorem property taxes.

(6) Vacant and undeveloped property within the city is exempt from the General Services Fee until such time that the city receives a request for utility services or issues a building permit.

13.34.050 Amount of the General Services Fee

The amount of the General Services Fee shall be \$35.30 per month for each Equivalent Dwelling Unit for fiscal year 2026-27 and will index by not more than three percent (3%) according to the Consumer Price Increase for All Urban Consumers (CPI-U) in the West Region as of December, the prior year. Example: if the CPI-U in the West Region in December 2026 is 3%, the General Services Fee will increase by 3%.

13.34.060 Dedicated Account; Use of Fee

(1) There shall be a dedicated general ledger account for the General Services Fee. All General Services Fee revenue imposed and collected under this chapter shall be recorded in the dedicated ledger account for the General Services Fee.

(2) Receipts of the General Services Fee shall be used for the purposes of staffing, programs and services in police, library, parks, recreation, community development, information technology (IT), administration and municipal court.

(3) The City Council may designate a portion of the fee to provide financial assistance to low-income individuals.

13.34.070 Administration

The City Administrator shall be responsible for administration of the General Services Fee, including the development of administrative procedures, administration of fees, and all other activities related to the purpose of the General Services Fee.

13.34.080 Billing

(1) The General Services Fee is independent of and in addition to existing fees and charges imposed as part of the city's standard utility rates. The General Services Fee will be included with the city's utility bill as a separate and distinct charge.

(2) The customer responsible for paying the city utility account is responsible for payment of the General Services fee.

(3) If a developed property has more than one utility account, the General Services Fee shall be calculated based on the total number of equivalent dwelling units on the developed property.

(4) The General Services Fee shall be due and payable at the same time and in the same manner and method as the city's utility bill and associated charges, as provided for under SHMC 13.02.050, Billing, and 13.02.060, Application of Payments Received.

13.34.090 Delinquency

Delinquent General Service Fees may be collected and utility services associated with a delinquent account may be denied as provided for in SHMC 13.02.090, Denial of Utility Service, 13.02.100, Responsibility for Payment of Bills, and 13.02.110, Utility Charge Liens and Collection Process.

13.34.100 Adjustment of Accounts

(1) Customers who believe their General Services Fee, as applied to their developed property, is not within the intent of this chapter, may request in writing a review of their General Services Fee by the City Administrator. The written request must specify each and every reason for the request and provide accurate contact information. The City Administrator shall initiate a review of the customer's General Services Fee and determine whether any reduction in charge or increase in charge shall be made retroactively, not to exceed one year from the date the request for review was submitted.

(2) Persons not satisfied with the results of the review by the City Administrator may protest the decision to an independent hearings officer within fourteen (14) days of the date the City Administrator's response is received. The person requesting the review and the city may submit additional testimony and information supporting their request or

decision. The independent hearings officers review shall be in writing, stating the reasons for its decision. The decision of the hearings officer is final.

(3) The City Administrator may write off accounts receivable balances if in the best interest of the city and may write off credit balances, unless the customer requests otherwise, if the cost of making the refund would exceed the amount of the credit balance.

13.34.110 Enforcement

(1) In the event funds received for payment on a city monthly utility service bill are inadequate to satisfy in full all of the water, sewer, stormwater, general services, and public safety charges, credit shall be given first to any public safety fee previously adopted, second to the General Services Fee, third to the sewer service charges, fourth to stormwater charges, and fifth to the charges for water service.

(2) In addition to other lawful enforcement procedures as provided in SHMC 13.02.090, Denial of Utility Service, the city may enforce the collection of charges required by this chapter by withholding delivery of water as provided for where the General Services Fee is delinquent.

(3) Notwithstanding any provision herein to the contrary, the city may institute any necessary legal proceedings to enforce the provisions of this chapter, including but not limited to injunctive relief and collection of charges owing. The city's enforcement rights shall be cumulative. If the city commences any legal proceedings to enforce the provisions of this chapter, and the city prevails, the city is entitled to all fees and costs incurred, as well as any sum that a court including any appellate court, may deem as reasonable attorney's fees.

13.34.120 Quarterly Reports; Annual Audit

(1) The city will provide quarterly reports to City Council that document the General Service Fee revenue and expenditures.

(2) The City's annual audit will include a review of the collection and use of the General Services revenues.