

City of St. Helens

RESOLUTION NO. 2050

**A RESOLUTION OF THE ST. HELENS CITY COUNCIL TO SUBMIT
A PROPOSED CHARTER AMENDMENT TO THE REGISTERED
VOTERS OF THE CITY OF ST. HELENS AT THE NOVEMBER 4,
2025, ELECTION TO REQUIRE VOTER APPROVAL BEFORE THE
ESTABLISHMENT OF NEW FEES ON UTILITY BILLS UNRELATED
TO UTILITY SERVICES**

WHEREAS, the Oregon Constitution gives voters the right to adopt, amend and revise a charter; and

WHEREAS, the 2012 City of St. Helens Charter grants legal home rule authority to the City and sets the duties of the Council, Mayor, and Appointive Officers and was submitted to and approved by the voters of the City of St. Helens in November of 2012; and

WHEREAS, currently, there is no requirement for voter approval prior to the adoption of city fees collected through utility bills, which can be a significant source of revenue for essential city services, including to fund public safety, library, and park services; and the adoption of these fees without direct voter authorization has led to concerns about transparency and community consent for the charges imposed;

WHEREAS, Municipal Service Fees are fees adopted and collected through utility bills to pay for city-wide services such as public safety, library, parks, or another specific purpose and do not include: (1) fees charged to persons or property based on use or consumption of utilities, such as water, sewer, or stormwater; (2) fees that arise based on the cost of specific services or activities, such as land use or building permit fees and other fees on the Universal Fee Schedule, or (3) impact fees such as System Development Charges (SDCs);

WHEREAS, various citizens during the Budget Committee meetings and in public comment at City Council meetings discussed the need for the City to require voter approval prior to the establishment of city fees collected through the utility bill that are unrelated to utility services; and

WHEREAS, at the July 16, 2025, City Council Work Session, City Council held a discussion about requiring voter approval prior to the establishment of Municipal Service Fees collected through utility bills to pay for city-wide services such as public safety, library, parks, or another specific purpose, including whether it was in the best interest of the City of St. Helens, and if so whether a Charter Amendment or City Code Ordinance was in the best interest of the City;

WHEREAS, at an August 4, 2025, Special City Council Meeting, City Council held a discussion about referring a proposed Charter Amendment to the voters of the City of St. Helens to be voted on at the November 4, 2025, election, or updating City Code, to require voter approval prior to the establishment of Municipal Service Fees adopted and collected through utility bills to

pay for city-wide services such as public safety, library, parks, or another specific purpose and to hear from interested citizens during public comment;

WHEREAS, citizens during public comment testified in favor of referring a proposed Charter Amendment to the voters on the November 4, 2025 ballot, requiring voter approval prior to the establishment of Municipal Service Fees collected through utility bills to pay for city-wide services such as public safety, library, parks, or another specific purpose and City Council concurs;

WHEREAS, on August 4, 2025, the City Council voted to submit a proposed Ballot measure on the November 4, 2025, ballot, to propose an amendment to the 2012 St. Helens City Charge, Section 47 under Chapter XI Miscellaneous Provisions, to require voter approval prior to the establishment of Municipal Service Fees collected through utility bills to pay for city-wide services such as public safety, library, parks, or another specific purpose.

NOW, THEREFORE, THE CITY OF ST. HELENS RESOLVES AS FOLLOWS:

SECTION 1. Referral. The referral text attached as Exhibit A shall be referred to the legal voters of the City of St. Helens, Columbia County, Oregon, at the election on Tuesday, November 4, 2025.

SECTION 2. Ballot Title. The City Attorney is directed to prepare a ballot title that impartially summarizes the referral and its major effect, within five business days, commencing the next business date after receipt of the referral.

SECTION 3. Publish Receipt of Ballot Title. Once the Ballot Title is received by the Election Official, the Election Official is directed to publish a notice of the Ballot Title in a newspaper of general circulation in accordance with ORS 250.275(5) for a minimum period of seven (7) days, providing that the Ballot Title has been received, and describing an opportunity for a voter to challenge the text of a ballot title by filing a petition for review in circuit court no later than seven days after a ballot title is filed, and notifying the County election official no later than 5:00 pm the following business day.

SECTION 4. File Measure with County Elections Official. If no challenge is filed against the Ballot Title, the City Elections Official is directed to file the measure with the County elections official in accordance with ORS 254.095 which is no later than the 61st day before the date of the election, September 4, 2025.

SECTION 5. Explanatory Statement. If the County is producing a County Voters' Pamphlet, City staff are directed to finalize an Explanatory Statement for the measure, which must be an impartial description of the referred measure and must be no more than 500 words in length, and submit it to the County for including in the voter's pamphlet as provided in ORS 251.345.

SECTION 6. Tuesday, November 4, 2025, is designated as the date for holding the election for the purpose of voting on the measure. The precinct for the election shall be all of the territory within the corporate limits of the City of St. Helens, and the election will be conducted by the Columbia County Elections Department.

SECTION 7. If a majority of eligible voters vote "yes" on the measure, the 2012 City of St. Helens Charter will be amended as follows:

Approved and adopted by the City Council on August 4, 2025, by the following vote:

Ayes:

Nays:

Jennifer Massey, Mayor

ATTEST:

Lisa Scholl, Deputy City Recorder

EXHIBIT A
2012 CITY OF ST. HELENS CHARTER
CHAPTER XI
Miscellaneous Provisions

Section 47: Voter Approval Required for Establishment of Municipal Services Fees Unrelated to Utility Services

1. Definitions

Municipal Services Fees. Municipal Services Fees are defined as fees collected from utility customers to pay for the costs of city-wide services including but not limited to public safety, library, parks, or another specific purpose. Municipal Services Fees do not include (1) fees charged to persons or property based on use or consumption of utilities, such as water, sewer, or stormwater which are based on adopted utility rates, (2) fees imposed based on the cost of a specific service or activity, such as building permit fees, land use permit fees, or those adopted in the Universal Fee Schedule, or (3) impact fees such as System Development Charges.

2. Voter Approval Required for Municipal Services Fees Unrelated to Utility Services.

- A. Voter approval by a majority of the votes cast at a city-wide election shall be required before a Municipal Services Fee unrelated to utility services is established, increased, or its purpose modified.
- B. The reduction or repeal of a Municipal Services Fee shall not require voter approval.
- C. Any ballot measure proposing to establish or increase a Municipal Service fee shall:
 - a. Specify the maximum amount of the fee or rate;
 - b. Include an expiration date unless reauthorized by the voters; and
 - c. State the specific purpose for which the revenue is to be used.

3. Effective Date. Municipal Services Fees approved by the City prior to [insert effective date of Charter Amendment], shall not be subject to the voter approval requirement unless the Municipal Services Fee is increased or its purpose modified.