



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818
If requested, Zoom link:
<https://zoom.us/j/9179442009?pwd=Yzk2&HJaSXITUThBbzZWM2gyNS9zQT09>

CALL TO ORDER at 6:00 pm by Chair Lisa Pratt

PLEDGE OF ALLEGIANCE was recited.

PRESENT

Directors: Chair Lisa Pratt, Loren Dieter (6:08 pm), David Boor, and Ken Browne

Staff: Chief Mike Hughes, Fire Marshal Marty Broadbent, Training Officer Sam Irons, Lt. Jeremy Gillette (6:48 pm), Firefighters: Cole Anderson (6:48 pm) and Timothy Atkeson (6:48 pm), Medic Tamara Beardsley (6:48 pm), Suzanne Gray, Exec Assist

Zoom: Roberta Lutchter, and Mark Unknown

Absent: Luis Medel Rodriguez

OPEN TIME FOR PUBLIC EXPRESSION - NONE

AGENDA ADJUSTMENTS – NONE

DIRECTOR REPORTS

1. Chair Pratt reviewed the Board Policy Manual distributed at the November 2023 meeting. She said she's been working on basic changes, such as: a. Updating the address and page numbers b. Adding language addressing absences of Board members c. Adding a section regarding Zoom meetings A discussion on policies will continue at the February meeting, with the same to be listed on agendas, going forward.

FIRE CHIEF'S REPORT

As there have been many questions regarding how Ambulance Service Area (ASA) Plans are developed, the Board took time to address some of the questions and misconceptions. The Board also agreed it would be helpful to include the relevant Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) in these minutes. (Some citations are within the minutes and others at the end of the minutes.)

1. Status of the draft Morrow County ASA Plan Morrow County will be submitting a revised draft ASA Plan to the Oregon Health Authority (OHA) tomorrow. BFRD was given the opportunity to provide comments, which were very minor.

Oregon Health Authority\Public Health Division - Chapter 333

Division 260

COUNTY AMBULANCE SERVICE AREA PLANS



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

The following rules reflect the Division's interpretation of 1989 Oregon Laws Chapter 722. The adoption and amendment of ambulance service plans and the establishment of ambulance service areas are a matter for regulation by county government within the parameters of relevant statutes and these rules.

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0095
HD 11-1990, f. & cert. ef. 5-7-90

333-260-0010

Definitions

As used in these rules:

- (1) "Ambulance" means any privately or publicly owned motor vehicle, aircraft, or marine craft operated by a Division-licensed ambulance service and that is regularly provided or offered to be provided for the emergency and non-emergency transportation of persons suffering from illness, injury or disability.
- (2) "Ambulance Service" means any individual, partnership, corporation, association, governmental agency or other entity that holds a Division-issued ambulance service license to provide emergency and non-emergency care and transportation to sick, injured or disabled persons.
- (3) "Ambulance Service Area (ASA)" means a geographic area which is served by one ambulance service provider, and may include all or a portion of a county, or all or portions of two or more contiguous counties.
- (4) "Ambulance Service Plan (Plan)" means a written document, which outlines a process for establishing a county emergency medical services system. A plan addresses the need for and coordination of ambulance services by establishing ambulance service areas for the entire county and by meeting the other requirements of these rules. Approval of a plan shall not depend upon whether it maintains an existing system of providers or changes the system. For example, a plan may substitute franchising for an open-market system.
- (5) "Ambulance Service Provider" means a licensed ambulance service that responds to 9-1-1 dispatched calls or provides pre-arranged non-emergency transfers or emergency or non-emergency inter-facility transfers.
- (6) "County Government or County Governing Body (County)" means a Board of County Commissioners or a County Court.
- (7) "Division" means the Public Health Division, Oregon Health Authority.
- (8) "Emergency Medical Service (EMS)" means those prehospital functions and services whose purpose is to prepare for and respond to medical and traumatic emergencies, including rescue and ambulance services patient care, communications and evaluation.
- (9) "Notification Time" means the length of time between the initial receipt of the request for emergency medical service by either a provider or an emergency dispatch center (9-1-1), and the notification of all responding emergency medical service personnel.
- (10) "Provider" means any public, private or volunteer entity providing EMS.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(11) “Response Time” means the length of time between the notification of each provider and the arrival of each provider’s emergency medical service unit(s) at the incident scene.

Statutory/Other Authority: ORS 682.205, 682.215, 682.235, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.235, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0100

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

333-260-0020

Procedures for Adoption and Approval of Ambulance Service Plans

(1) A county may obtain technical assistance from the Division as available in developing and amending an ambulance service plan.

(2) A county that does not have a Division-approved plan on July 19, 1989, must adopt and submit a plan by December 31, 1990. A county that has a Division-approved plan that does not meet the requirements of these rules must adopt and submit an amended plan by June 30, 2003. This requirement may be met by a plan submitted in conjunction with another contiguous county or counties. A Division-approved plan which is currently in effect, remains in effect until one of the following occurs:

- (a) An amended plan is approved by the Division;
- (b) There is a failure to submit an amended plan pursuant to this subsection; or
- (c) Where an amended plan was required to be submitted pursuant to this subsection and such amended plan was disapproved by the Division, if 120 days have elapsed since such disapproval and no new amended plan has been adopted and submitted to the Division for approval.

(3) After March 31, 2001, a county must submit a plan or amendment(s) to the Division using the following format:

1. CERTIFICATION BY GOVERNING BODY OF COUNTY AMBULANCE SERVICE PLAN
2. OVERVIEW OF COUNTY (DEMOGRAPHIC AND GEOGRAPHIC DESCRIPTION)

3. DEFINITIONS;

4. BOUNDARIES;

(a) ASA Map(s) with Response Time Zones:

(b) ASA Narrative Description:

(c) Map(s) Depicting “9-1-1,” Fire Districts and Incorporated Cities:

(d) Alternatives Considered to Reduce Response Times.

5. SYSTEM ELEMENTS:

(a) 9-1-1 Dispatched Calls;

(b) Pre-arranged Non-emergency Transfers and Inter-facility Transfers;

(c) Notification and Response Times;

(d) Level of Care;

(e) Personnel;

(f) Medical Supervision;

(g) Patient Care Equipment;

(h) Vehicles;



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- (i) Training;
- (j) Quality Improvement;
- (A) Structure:
- (B) Process:
- (C) Sanctions for Non-Compliant Personnel or Providers:
- 6. COORDINATION
 - (a) The Entity That Shall Administer and Revise the ASA Plan;
 - (b) Complaint Review Process;
 - (c) Mutual Aid Agreements;
 - (d) Disaster Response;
 - (A) County Resources Other Than Ambulances;
 - (B) Out of County Resources;
 - (C) Mass-Casualty Incident Plan;
 - (D) Response to Terrorism;
 - (e) Personnel and Equipment Resources;
 - (A) Non-transporting EMS Provider;
 - (B) Hazardous Materials;
 - (C) Search and Rescue;
 - (D) Specialized Rescue;
 - (E) Extrication;
 - (f) Emergency Communication and System Access;
 - (A) Telephone;
 - (B) Dispatch Procedures;
 - (C) Radio System;
 - (D) Emergency Medical Services Dispatcher Training.
- 7. PROVIDER SELECTION:
 - (a) Initial Assignment;
 - (b) Reassignment;
 - (c) Application for an ASA;
 - (d) Notification of Vacating an ASA;
 - (e) Maintenance of Level of Service;
- 8. COUNTY ORDINANCES AND RULES:
 - (4) Procedures for the Division's review of a plan submitted under section (3) of this rule are set forth in ORS 682.205(6). Except for the time frames, plans submitted prior to April 1, 2001, but not yet approved by the Division shall be processed in the same manner.
 - (5) The Division's approval of a plan or amendments is limited to determining whether there has been compliance with these rules.
 - (6) A county is required to amend their plan, if necessary, to comply with any amendments made in ORS Chapter 682 or OAR chapter 333, divisions 250, 255 or 260. The Division shall notify the county in writing each time an amendment is made in either the statute or administrative rules that may affect the plan. Anytime a county plan is amended, the county must submit a copy of the amended plan to the Division.
 - (7) The Division shall review each county plan no less than once every five years to ensure compliance with the statutes and administrative rules pertaining to a county ambulance service area plan. The Division shall notify the county of the results of the review.
 - (8) The Division may seek the advice of the State Emergency Medical Service Committee concerning plan compliance with these rules.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0105

HD 11-1990, f. & cert. ef. 5-7-90

HD 9-1987, f. & ef. 7-21-87

HD 16-1986, f. & ef. 9-9-86

333-260-0030

Subjects to be Considered in an Ambulance Service Plan

(1) A county is required to include in a plan, each of the subjects or items set forth in these rules and to address and consider each of those subjects or items in the adoption process.

(2) The plan submitted to the Division for approval must contain a certification signed by the governing body of the county that:

(a) Each subject or item contained in the plan was addressed and considered in the adoption of the plan;

(b) In the governing body's judgment, the ASAs established in the plan provides for the efficient and effective provision of ambulance services; and

(c) To the extent they are applicable, the county has complied with ORS 682.205(2)(3) and 682.335 and existing local ordinances and rules.

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0110

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

333-260-0040

Boundaries

(1) The entire county must be included in a plan. One or more ASAs may be established in a plan. The county or contiguous counties are solely responsible for establishing all ASA boundaries within the county's jurisdiction.

(2) A map showing ASA boundaries and response time zones must be included in the plan, along with a narrative description of each ASA.

(3) A map depicting all "9-1-1," fire district and incorporated city boundaries within the county must be included in the plan.

(4) The plan must describe the major alternatives considered, if any, for reducing the effects of artificial and geographical barriers on response times.

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0115

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

333-260-0050

System Elements

(1) The following system elements must be addressed and considered in the county's plan for each ASA:

- (a) 9-1-1 dispatched calls;
- (b) Pre-arranged non-emergency transfers and inter-facility transfers, by June 30, 2003;
- (c) Notification and response times;
- (d) Level of care, ranging from basic life support to advanced life support;
- (e) Personnel for first response vehicles and ambulances;
- (f) Medical supervision of all medically trained emergency response personnel;
- (g) Patient care equipment for first response vehicles and ambulances;
- (h) Vehicle, vehicle equipment and safety requirements;
- (i) Initial and continuing education training for emergency response personnel; and
- (j) Quality improvement.

(2) Notification and response times must be addressed and considered in the plan as follows:

- (a) Notification times must be expressed in terms of percent of calls which do not exceed a specified number of minutes;
- (b) Response times must be expressed in terms of percent of calls which do not exceed a specified number of minutes; and
- (c) Multiple response time standards may be established within the ASA to accommodate climate, weather, access, terrain, staffing and other factors as determined by the county.

(3) The plan must address and consider a quality improvement program which at a minimum:

- (a) Monitors compliance with pertinent statutes ordinances and rules;
- (b) Monitors compliance with standards for prehospital provider notification times, response times and patient care; and
- (c) Provides for problem resolution and legal sanctions for non-compliant personnel or providers of the plan provisions.

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0120

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

333-260-0060

Coordination



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

The county may delegate authority for development and administration of the plan to an intergovernmental body. The plan must address and consider:

- (1) A process for the county to receive input from prehospital care consumers, providers and the medical community.
- (2) Mutual aid agreements for ambulance responses from outside of the service area and responses to other service areas to meet the need for service in unusual circumstances.
- (3) Ambulance service providers' responsibilities in the event of a disaster, including: coordination with county resources and determination of methods for obtaining out-of-county resources other than ambulances, a process for adoption of a mass-casualty incident plan that is recognized and approved by the county's emergency management administration.
- (4) Personnel and equipment resources in addition to the ambulance provider for response to incidents involving but not limited to:
 - (a) Hazardous Materials;
 - (b) Search and Rescue;
 - (c) Specialized Rescue; and
 - (d) Extrication.
- (5) Emergency radio and telephone communications systems for the county. Mechanisms for the following must be in operation or scheduled for implementation:
 - (a) Access to the Emergency Medical Services System centralized emergency telephone numbers;
 - (b) Dispatch of ambulances staffed in accordance with the plan and other emergency resources based on emergency medical protocols; and
 - (c) U.S. Department of Transportation, National Highway Traffic Safety Administration, Emergency Medical Services Dispatcher: National Standard Curriculum or equivalent training for all emergency medical services dispatchers.

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0125

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

333-260-0070

Provider Selection

- (1) The county is solely responsible for designating and administering the process of selecting an ambulance service provider.
- (2) The plan must address and consider a process for:
 - (a) Assigning and reassigning of an ambulance service provider to an ASA;
 - (b) Responding to an application by a provider for an ASA;
 - (c) Responding to notification that an ASA is being vacated; and
 - (d) Maintaining the existing level of service after notification that a provider is vacating an ASA.
- (3) The county shall designate one emergency ambulance provider for each ASA. The county may designate one or more non-emergency ambulance provider for each ASA.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

Statutory/Other Authority: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

Statutes/Other Implemented: ORS 682.205, 682.215, 682.275, 682.315, 682.325, 682.335 & 682.345

History:

OHD 8-2001, f. & cert. ef. 4-24-01

HD 18-1994, f. 6-30-94, cert. ef. 7-1-94, Renumbered from 333-028-0130

HD 11-1990, f. & cert. ef. 5-7-90

HD 16-1986, f. & ef. 9-9-86

v2.0.10

Oregon State Archives • 800 Summer Street NE • Salem, OR 97310

Phone: 503-373-0701 • Fax: 503-373-0953 • Adminrules.Archives@sos.oregon.gov

© 2022 Oregon Secretary of State

All Rights Reserved

FIRE CHIEF'S REPORT CONTINUED

Chief Hughes said the ORS' and OAR's spell out the legal process of developing an ASA Plan, including that it is the county's responsibility to assure an ASA Plan is in place and is reviewed every five years. He also outlined the process of applying to be a provider of ambulance services in an ASA Plan. Mr. Boor said if BFRD was not allowed to be a provider, could BFRD's ambulances be sold; correct, was the reply.

2. Regarding BFRD's request to license its ambulances:

- In order for an entity to provide ambulance service in an ASA Plan, that entity has to first have licensed ambulances. BFRD obtained licensing from OHA and began providing inter-facility (IFT) transports outside Morrow County. IFTs are transports of patients between two healthcare facilities. BFRD followed the licensing process established by the state. For IFTs, BFRD receives \$2 for every \$1 it spends of taxpayer money. In two months of IFTs, the revenue is estimated to be enough to pay for one ambulance.
- Currently, BFRD cannot provide ambulance service within Morrow County as it is not part of the ASA Plan under which the county is operating. The only exception would be a multi-casualty incident or natural disaster.
- 3. Regarding the difference between an ASA and an ASA Plan:
 - ASA is an Ambulance Service Area, while the ASA Plan is the plan that encompasses the Ambulance Service Area(s).



FIRE CHIEF'S REPORT CONTINUED

- The draft, proposed ASA Plan has three Ambulance Service Areas that roughly mimic the Fire Districts of Boardman (North ASA), Irrigon (Northeast ASA) and Ione-Lexington-Heppner (South ASA).
- An ASA Plan is a detailed document that includes such requirements as response times and staffing.
 - If BFRD was chosen as a provider within its district, an agreement or contract would be signed with Morrow County. That agreement would specify staffing levels, the number of ambulances required, response times required, etc.
 - An ASA Plan is not an official document until all required parties agree and sign.
 - The 2021 ASA Plan was sent to OHA for review. OHA returned it with required corrections. Morrow County Health District made the corrections and it was returned to OHA. The Morrow County Board of Commissioners (BOC) did not review the Health District's revisions to the ASA Plan before it was submitted back to OHA, nor did the BOC adopt it by ordinance (Morrow County requirement). Morrow County's attorney advised the county that the correct process was not followed.

3. Helipad

- BFRD is installing the helipad at Station 81 for reasons related to safety. When a helicopter lands on the soccer field near N.E. Front Street in wet and snowy weather conditions, that option becomes difficult and inefficient. Staff members report it becomes extremely difficult to roll the gurney and patient over wet and snowy grass. Landing a helicopter on the freeway would be the last option. The helipad at Station 81 means a safe landing area away from members of the public and a hard surface for moving the gurney and patient from the ambulance to the helicopter.

4. Special District Association of Oregon (SDOA) Annual Conference

- Will take place February 8-11 in Seaside.



FIRE CHIEF'S REPORT CONTINUED

- Will necessitate moving the regularly scheduled Board meeting to February 15th, however, Mr. Dieter will not be available February 15th.
 - A repair company fixed the apparatus bay heaters, and the stove was also repaired.
 - The concrete at the entryway will have an epoxy applied, then the logo and then a clear coat.
5. Three AEDs were presented to Riverside High School. When athletic teams travel, they will also take an AED with the team.
6. Currently in the process of hiring two Firefighter/EMTs and one Firefighter/Paramedic. With so many IFTs happening, the new hires will be available for those, as well as to back-fill, as needed.
- These additional staff positions were budgeted in May 2023. The May 2023 budget includes \$1.275 million for the fiscal year for 15 line-staff. Mr. Boor reminded the public that the budget meeting and BFRD Board meetings are all publicly noticed and open to the public.
 - Multiple job applications have been received for both Basic and Advanced Life Support levels. The testing process will begin shortly, and the successful applicants will begin in about 30 days after completing the entire vetting process.
 - BFRD favors a dual role staffing model where staff members are either Firefighter/EMTs or Firefighter/Paramedics. It means there are twice as many EMTs on duty compared to a single role system. This is more cost effective and advantageous to the community and taxpayer. The current staffing model followed by Morrow County Health District in Boardman uses four people to staff a 24-hour period, whereas, BFRD only needs two people for the same 24-hour period. BFRD's costs are reduced by following the dual role staffing model.
 - When doing IFTs, BFRD will still maintain minimum staffing levels. Two ambulances can be pushed out as there will be four EMTs and two Paramedics on duty, as well as three or four staff members who live in-



FIRE CHIEF'S REPORT CONTINUED

district and can be called in. Additionally, two or three volunteers can be called in. When a medical call and a fire call come in at the same time, the engine would respond to the fire and the ambulance would respond to the EMS call. When that occurs, BFRD has a back-fill system in place.

9. Chief Hughes was recently appointed by OHA to the Ambulance Licensing and Administrative Rules Committee. He will represent this part of the state in the OHA process for reviewing ambulance licensing rules for the state. The first meeting will take place in March.

CONSENT CALENDAR ITEMS

Chair Pratt briefly reviewed the bills and payables. Chief Hughes displayed and reviewed the register for Bond Checking and General Checking. Mr. Brown moved to adopt the Consent Calendar, as presented. Mr. Dieter seconded. Motion carried 4-0 by those named - Mr. Browne, Mr. Dieter, Mr. Boor and Chair Pratt.

ACTION ITEM

1. Resolution 011112024
 - a. This is the Health Equity Flexible Spending Account annual Resolution. This is a benefit to the District and needs to be approved, adopted and signed. Mr. Boor moved to adopt Resolution 011112024. Mr. Browne seconded. Motion carried 4-0 by those named - Mr. Boor, Mr. Dieter, Mr. Browne and Chair Pratt.
 2. Request Authorization to Purchase Emergency Response Apparatus for \$129,750
 - a. Chief Hughes requested to purchase a 2013 Ford Wheeled Coach. Mr. Browne, a licensed mechanic, inspected the vehicle. It has 23,000 miles and was located at a Naval base. Purchasing the vehicle will allow BFRD to have one ambulance dedicated to IFTs and a back-up, in the event BFRD is allowed to be a service provider within the ASA Plan. If not, the ambulance can be easily sold. The remount will be approximately \$180,000 and there is enough Bond money for the purchase.
 - b. This would bring the total ambulances to five. The 1999 white ambulance could be converted to a vehicle for use at school athletic events. The schedule for remounting current ambulances was reviewed, noting it will be staggered and a “loaner” ambulance will not be needed.
- Mr. Boor moved to approve the purchase of the 2013 Ford Wheeled Coach for \$129,750.



ACTION ITEM - CONTINUED

Mr. Browne seconded. Motion carried 4-9 by those named - Mr. Boor, Mr. Browne, Mr. Dieter and Chair Pratt.

Levi Renfrew will fly to California to inspect the vehicle and if any part of the apparatus or arrangement is unsatisfactory, he will decline to purchase, with no risk to BFRD. Upon arrival of the vehicle in-District, logos will be applied and the licensing process with OHA will begin. This should take about three weeks. the high school, BFRD can staff the rig, transport to GSMC. It would be legal but not a frontline ambulance.

FIRE LOSS MANAGEMENT REPORT - DECEMBER 2023

1. Fire Marshal Marty Broadbent emphasized community involvement. BFRD joined Boardman Police Department in the SECO Pallet parade.
2. Testing/Inspections:
 - a. Tidewater Building “B” Final
 - b. PDX 112 phase 9 Final
 - c. PDX 178 Security Building Hydro
3. Plan Review
 - a. Lamb Weston West Plant - Underground Utilities
4. Public Education
 - a. Four CPR classes with 30 students included City of Boardman employees.
 - b. Christmas Tree Lighting
 - c. Seco Pallet Parade
 - i. Tri-Cities news covered the parade and meeting with Santa. The news link is on BFRD Facebook page.
 - ii. The Fire Rescue Boat was in the parade as well. A Facebook comment stated that BFRD has no authority to run the boat. The Columbia River and other waterways are within the boundaries of BFRD. Not only does BFRD have authority to run the fire boat; before the FEPP boat was given to BFRD, Chief Hughes contacted Morrow County Sherrif Office (MCSO). BFRD asked them about using the asset in conjunction with MCSO. MCSO was 100% onboard with it.
 - iii. The rescue boat has been dispatched two times. Once to respond to a car in the river. The patient swam to shore before the boat was in the water.
 - iv. The rescue boat is fitted with high tech instruments like sonar and radar. BFRD has a legal right to use it and will continue to do so. David Boor clarified that the County Sherrif wanted to work with BFRD.



FIRE LOSS MANAGEMENT REPORT - CONTINUED

- v. No Intergovernmental Agreement as Mutual Aid covers the response. When MCSO is dispatched to a rescue, they want BFRD to come because of the fire and medical training to assist MCSO. BFRD's boat focuses on rescue operations. MCSO's boat works the law enforcement detail. The agencies work together to accomplish one goal.

TRAINING OFFICER REPORT - NOVEMBER/DECEMBER AND YEAR END 2023

1. Sam Irons reported 33 team members contributed a total of 2,778 hours of training for the year. Different trainings included in the total. EMS training was the highest by far at 446 hours. Other types of trainings were driver/pumper, firefighting tools/tactics, special

TRAINING OFFICER REPORT - CONTINUED

operations such as rope rescue, confined space, drone, and wildland. Wildland training totaled 262 hours.

2. Chief Hughes asked for the annual required minimum training hours from DPSST. There are four categories each having set number of hours to do annually. Firefighters need recertification every two years. Training hours anywhere from 60 to 240 hours required by the state each year. BFRD dramatically exceeds State standards.
3. One twelve-month probation test was successfully conducted. The person is no longer on probation. When B Shift is next on shift during a Board Meeting, the candidate will be sworn in.
4. Mark Sowa received his Firefighter Type 1 certification.

EMS REPORT

1. Tamara Beardsley provided the EMS report. BFRD has been pretty busy with IFT's. Mass Casualty Incident (MCI) occurred on Christmas Day in Hermiston. BFRD sent two ambulances to transport Life Flight and a patient. BFRD arrived when they called. Medic Beardsley took a transport from Pendleton the other day. A nurse made comments like; have not heard a 'no' from BFRD yet. Many are grateful for BFRD always providing transport.
2. 2016 ambulance is in. It is licensed. Only a few items to stock before it is in service. Stryker Representative delivered the auto loader. Staff were familiarized with troubleshooting and orientation on the device. The auto loader was mounted in the 2016 ambulance. Traditionally gurneys have to be manually lifted and are heavy on backs. The



EMS REPORT - CONTINUED

3. gurneys with the autoloader are lighter. The device lifts the gurney into the ambulance for staff which is great for backs. The auto loader is considered a Back Saver.
4. The electric powered stair chair was delivered. A couple months ago, a community member needed assistance with stairs a couple times a week – a total of four trips. The electric stair chair will be handy for properties like Portview’s three flights of stairs. The impressive demonstration of this device was at the training tower. Another great addition for the community. An Amazon grant allowed BFRD to purchase the electric powered stair chair. Staff is excited for the direction BFRD is going.

FIRE LIEUTENANT REPORT

1. Total incidents in 2023 reached 1,015 highest total number at BFRD. December calls added up to 113 which is the highest monthly call volume to date. IFTs equaled 22 in December which is significant.
2. Crews are working together well on the ground even with all the turmoil. BFRD is doing the job seamlessly.
3. Area hospital staff have many compliments for BFRD personnel. During the Hermiston Multi-casualty Incident(MCI) Christmas Day, Paramedic Beardsley made critical decisions and organized the transfers of patients. A lot of positive feedback received.
4. A Shift staff was excused from the Board meeting at 6:48 pm to their dinner.
5. Chief Hughes added information on IFT; 8 in January 2024, 27-28 November 2023. Depending on how it is looked at it; IFTs will pay for the three people BFRD is hiring soon.
6. David Boor asked if the IFT were easily backfilled. He continued that some people are concerned that BFRD is doing all this “other stuff” and won’t be able to cover the district incidents. Chief Hughes stated that BFRD does not say yes to a transport unless the minimum staff levels are met. The three administrative people here are included in the minimum staffing levels. Sam Irons and Chief Hughes routinely get on a fire engine. Week to week Marty Broadbent and Chief Hughes trade off Duty Officer. A Chief Officer is on duty at all times. Chief Hughes will never allow BFRD to be below minimum staffing level. Interfacility Transports will be told no if BFRD cannot maintain a minimum staffing level. BFRD has not been “there” yet.

FINANCIAL REPORTS

1. December budget to actual was displayed. November’s budget to actual was not in the emailed packet. However, one can track the numbers with the Year-to-Date column.



FINANCIAL REPORTS – CONTINUED

- a. Year to Date in Resources (Income section) reflects CREZ III distribution \$379,813.60. CREZ II meets on the 26th. BFRD hopes to receive a minimum of \$175,000.00. CREZ II has just over \$15 million to distribute.
- b. Resource dollar amounts are a strict guess. Chief Hughes is starting to budget low because we never know what agenda is going to be part of the distribution. In the future, the budget line may just say zero. BFRD will be happy with whatever we end up with as a distribution. Chief Hughes should be able to report to the board on the results of the CREZ II meeting on the 26th.
- c. Administrative Service is heavily overbudget from attorney fees. Special District's Insurance Service (SDIS) is still covering attorney fees.
- d. Materials & Supplies – Facilities 6-5220 and Equipment 6-5230 will be adjusted due to purchases for Type 6 built on one chassis will be corrected to Capital Improvement (Outlay) - Vehicles and Equipment. The adjustments will show in January report.

COMMUNICATIONS

1. Sam Boardman Elementary School sent thank you note and photograph of Thanksgiving servers.
2. January 11, 2024 email from SDAO on mandated Public Meetings Law Training Requirement.
3. District Board of Directors Update Information Form from Morrow Co. Clerk 12/18/23
4. Special Districts Association of Oregon's 12/15/2023 Proposed Bylaws Revisions
5. Oregon Fire District Directors Association Magazine Communique

PRESENTATIONS/RECOGNITIONS - NONE

CLOSED-DOOR SESSION – NONE

EXPLANATION OF A CLOSED-DOOR SESSION

1. This is a place holder. An ORS definition is required if there is an Executive Session.
 - a. Chief Hughes provided an example. Suppose the Board has a performance evaluation on Michael Hughes. Chief Hughes chooses not to have it in Open Forum.
 - b. Agenda would state Fire Chief or M. Hughes along with the ORS the Board is going into Executive Session for.
2. With that said, the Board Chair can call an Emergency Executive Session (closed door) during a board meeting but must site what ORS the Executive Session is going under. Very rare for the Board Chair to call an emergency session. It has happened once since



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

EXPLANATION OF A CLOSED-DOOR SESSION

3. Chief Hughes has been at BFRD. Otherwise, it is listed on the agenda so the public knows what ORS the Executive Session is going under.
4. David Boor asked when the last time a Closed-Door Executive Session was entered. Chief Hughes replied it had been a long time. According to people looking at the agenda, the assumption is that the place holder is an actual Closed Door Session. Just like Presentation/Recognition is a place holder, the Closed Door Session is a place holder.

NEXT SCHEDULED MEETING

Next Regular Board Meeting is scheduled for Thursday, February 15, 2024 at 6:00 pm at 911 Tatone Street, Boardman, Oregon. Reminder this meeting is a week later than normal as the Board and Chief will be at the SDAO conference February 8th.

Special Board meetings are scheduled as needed with a minimum of 48 hours public notice. Posting on Boardman Fire Rescue website and the post office.

ADJOURNMENT

Lisa Pratt adjourned the meeting at 7:00 pm (19:00).

Respectfully submitted by Suzanne Gray, Executive Assistant



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

Boardman Fire Rescue District Board of Directors 1-11-2024 minutes
include:

**Chapter 682 — Regulation of Ambulance Services
and Emergency Medical Personnel** (page 18 -33 of Minutes)

and

Chapter 478 — Rural Fire Protection Districts (page 33-56 of Minutes)

Chapter 682 — Regulation of Ambulance Services and Emergency Medical Personnel

2001 EDITION

682.010 [Amended by 1961 c.248 §1; 1969 c.276 §1; 1981 c.339 §6; 1983 c.486 §59;
renumbered 677.805]

GENERAL PROVISIONS

682.015 Unlawful operation of unlicensed ambulance vehicle or unlicensed ambulance service; penalty. (1)

A person or governmental unit commits the offense of unlawful operation of an unlicensed ambulance if, on and after July 1, 1983, or the offense of unlawful operation of an unlicensed ambulance service if, on and after July 1, 1994, the person or governmental unit advertises or operates in this state a motor vehicle, aircraft or watercraft ambulance that:

- (a) Is not operated by an ambulance service licensed under this chapter;
 - (b) Is not licensed under this chapter; and
 - (c) Does not meet the minimum requirements established under this chapter by the Department of Human Services in consultation with the State Emergency Medical Service Committee for that type of ambulance.
- (2) As used in this section, "governmental unit" and "person" have the meaning given those terms in ORS [682.025](#).
- (3) This section does not apply to any ambulance or any person if the ambulance or person is exempted by ORS [682.035](#) or [682.285](#) from regulation by the Department of Human Services.
- (4) Authority of political subdivisions to regulate ambulance services or to regulate or allow the use of ambulances is limited under ORS [682.275](#).
- (5) The offense described in this section, unlawful operation of an unlicensed ambulance or ambulance service, is a Class A misdemeanor. Each day of continuing violation shall be considered a separate offense.
- (6) In addition to the penalties prescribed by subsection (5) of this section, the Department of Human Services may impose upon a licensed ambulance service a civil penalty not to exceed \$5,000 for each violation of this chapter and the rules adopted thereunder. Each day of continuing violation shall be considered a separate violation for purposes of this subsection. [Formerly [823.010](#)]

682.020 [Amended by 1961 c.248 §2; 1969 c.276 §2; 1983 c.486 §60; renumbered 677.810]

682.025 Definitions. As used in this chapter, unless the context requires otherwise:

- (1) "Ambulance" or "ambulance vehicle" means any privately or publicly owned motor vehicle, aircraft or watercraft that is regularly provided or offered to be provided for the emergency transportation of persons suffering from illness, injury or disability.

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- (2) "Ambulance service" means any person, governmental unit, corporation, partnership, sole proprietorship or other entity that operates ambulances and that holds itself out as providing prehospital care or medical transportation to sick, injured or disabled persons.
- (3) "Board" means the Board of Medical Examiners for the State of Oregon.
- (4) "Department" means the Department of Human Services.
- (5) "Emergency care" means the performance of acts or procedures under emergency conditions in the observation, care and counsel of the ill, injured or disabled; in the administration of care or medications as prescribed by a licensed physician, insofar as any of these acts is based upon knowledge and application of the principles of biological, physical and social science as required by a completed course utilizing an approved curriculum in prehospital emergency care. However, "emergency care" does not include acts of medical diagnosis or prescription of therapeutic or corrective measures.
- (6) "Emergency medical technician" or "EMT" means a person who has received formal training in prehospital and [emergency care](#), and is state certified to attend any ill, injured or disabled person. Police officers, firefighters, funeral home employees and other personnel serving in a dual capacity one of which meets the definition of "emergency medical technician" are "emergency medical technicians" within the meaning of this chapter.
- (7) "First responder" means a person who has successfully completed a first responder training course approved by the [department](#) and:
- (a) Has been examined and certified as a first responder by an authorized representative of the [department](#) to perform basic emergency and nonemergency care procedures; or
 - (b) Has been otherwise designated as a first responder by an authorized representative of the [department](#) to perform basic emergency and nonemergency care procedures.
- (8) "Fraud or deception" means the intentional misrepresentation or misstatement of a material fact, concealment of or failure to make known any material fact, or any other means by which misinformation or false impression knowingly is given.
- (9) "Governmental unit" means the state or any county, municipality or other political subdivision or any [department](#), [board](#) or other agency of any of them.
- (10) "Highway" means every public way, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, used or intended for the use of the general public for vehicles.
- (11) "Nonemergency care" means the performance of acts or procedures on a patient who is not expected to die, become permanently disabled or suffer permanent harm within the next 24 hours, including but not limited to observation, care and counsel of a patient and the administration of medications prescribed by a physician licensed under ORS chapter 677, insofar as any of those acts are based upon knowledge and application of the principles of biological, physical and social science and are performed in accordance with scope of practice rules adopted by the Board of Medical Examiners in the course of providing prehospital care as defined by this section.
- (12) "Owner" means the person having all the incidents of ownership in an ambulance service or an ambulance vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to the possession of an ambulance vehicle or operation of an ambulance service under a security agreement or a lease for a term of 10 or more successive days.
- (13) "Patient" means an ill, injured or disabled person transported in an ambulance.
- (14) "Person" means any individual, corporation, association, firm, partnership, joint stock company, group of individuals acting together for a common purpose or organization of any kind and includes any receiver, trustee, assignee or other similar representative thereof.
- (15) "Prehospital care" means that care rendered by [emergency medical technicians](#) as an incident of the operation of an ambulance as defined by this chapter and that care rendered by [emergency medical technicians](#) as



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

incidents of other public or private safety duties, and includes, but is not limited to, "emergency care" as defined by this section.

(16) "Scope of practice" means the maximum level of emergency or nonemergency care that an [emergency medical technician](#) may provide.

(17) "Standing orders" means the written protocols that an [emergency medical technician](#) follows to treat patients when direct contact with a physician is not maintained.

(18) "Supervising physician" means a medical or osteopathic physician licensed under ORS chapter 677, actively registered and in good standing with the [board](#), who provides direction of emergency or nonemergency care provided by [emergency medical technicians](#).

(19) "Unprofessional conduct" means conduct unbecoming a [person](#) certified in emergency care, or detrimental to the best interests of the public and includes:

(a) Any conduct or practice contrary to recognized standards of ethics of the medical profession or any conduct or practice which does or might constitute a danger to the health or safety of a [patient](#) or the public or any conduct, practice or condition which does or might impair an [emergency medical technician](#)'s ability safely and skillfully to practice emergency or nonemergency care;

(b) Willful performance of any medical treatment which is contrary to acceptable medical standards; and

(c) Willful and consistent utilization of medical service for treatment which is or may be considered inappropriate or unnecessary. [Formerly [823.020](#); 1997 c.249 §208; 1997 c.637 §§1,1a]

682.030 [Renumbered 677.815]

682.035 Application of ORS chapter 682. ORS [820.330](#) to [820.380](#) and this chapter do not apply to:

(1) Ambulances owned by or operated under the control of the United States Government.

(2) Vehicles being used to render temporary assistance in the case of a major catastrophe or emergency with which the ambulance services of the surrounding locality are unable to cope, or when directed to be used to render temporary assistance by an official at the scene of an accident.

(3) Vehicles operated solely on private property or within the confines of institutional grounds, whether or not the incidental crossing of any [highway](#) through the property or grounds is involved.

(4) Vehicles operated by lumber industries solely for the transportation of lumber industry employees.

(5) Any [person](#) who drives or who attends an ill, injured or disabled [person](#) transported in a vehicle mentioned in subsections (1) to (4) of this section.

(6) Any [person](#) who otherwise by license is authorized to attend patients. [Formerly [823.030](#)]

682.037 Information regarding person who is subject of prehospital care event; use of information; confidentiality; fee. (1) Upon the request of the designated official of an ambulance service as defined in

ORS [682.015](#), a [first responder](#) as defined in ORS [682.025](#), the emergency medical services system authority in the county in which a [prehospital care](#) event occurred or the Department of Human Services, a hospital licensed under ORS chapter 441 may provide to the requester the following information:

(a) The disposition of the [person](#) who was the subject of the [prehospital care](#) event from the emergency [department](#) or other intake facility of the hospital, including but not limited to:

(A) Whether the [person](#) was admitted to the hospital; and

(B) If the [person](#) was admitted, to what unit the [person](#) was assigned;

(b) The diagnosis given the [person](#) in the emergency [department](#) or other intake facility; and

(c) Whether within the first hour after the [person](#) arrived at the hospital, the [person](#) received one or more medical procedures on a list that the Department of Human Services shall establish by rule.

(2) Information provided pursuant to subsection (1) of this section shall be:

(a) Treated as a confidential medical record and not disclosed;

(b) Considered privileged data under ORS [41.675](#) and [41.685](#); and

(c) Used only for legitimate medical quality assurance and quality improvement activities.

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(3) A hospital may charge a fee reasonably related to the actual cost of providing the information requested pursuant to this section.

(4) For purposes of this section, "emergency medical services system" has the meaning given in ORS [41.685](#). [1997 c.208 §1]

Note: [682.037](#) was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 682 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

682.040 [Amended by 1961 c.248 §3; 1969 c.276 §3; 1973 c.827 §70; renumbered 677.820]

682.045 Licenses; form and contents; future responsibility filing. (1) A license for an ambulance service or the operation of ambulance vehicles shall be obtained from the Department of Human Services.

(2) Applications for licenses shall be upon forms prescribed by the [department](#) and shall contain:

(a) The name and address of the [person](#) or governmental unit owning the ambulance service or vehicle.

(b) If other than the applicant's true name, the name under which the applicant is doing business.

(c) In the case of an ambulance vehicle, a description of the ambulance, including the make, model, year of manufacture, registration number and the insignia name, monogram or other distinguishing characteristics to be used to designate the applicant's ambulance vehicles.

(d) The location and description of the principal place of business of the ambulance service, and the locations and descriptions of the place or places from which its ambulance is intended to operate.

(e) Such other information as the [department](#) may reasonably require to determine compliance with ORS [820.350](#) to [820.380](#) and this chapter and the rules adopted thereunder.

(3) Except in the case of governmental units, the application shall be accompanied by future responsibility filing of the type described under ORS [806.270](#). [Formerly [823.060](#)]

682.047 Issuance of license; duration; transferability; display; replacement; fees. (1) When applications have been made as required under ORS [682.045](#), the Department of Human Services shall issue licenses to the [owner](#) if it is found that the ambulance service and ambulance comply with the requirements of ORS [820.350](#) to [820.380](#) and this chapter and the rules adopted thereunder.

(2) Each license unless sooner suspended or revoked shall expire on the next June 30.

(3) The [department](#) may initially issue a license for less than a 12-month period or for more than a 12-month period not to exceed 15 months.

(4) Licenses shall be issued only to the [owner](#) of the ambulance service and only for the ambulance named in the application and shall not be transferable to any other [person](#), governmental unit, ambulance service or ambulance.

(5) Licenses shall be displayed as prescribed by the rules of the [department](#).

(6) The [department](#) shall provide for the replacement of any current license that becomes lost, damaged or destroyed. A replacement fee of \$10 shall be charged for each replacement license.

(7) Nonrefundable fees in the following amounts shall accompany each initial and each subsequent annual application to obtain a license to operate an ambulance service and ambulance:

(a) \$75 for an ambulance service having a maximum of four full-time paid positions;

(b) \$250 for an ambulance service having five or more full-time paid positions;

(c) \$45 for each ambulance license if the ambulance is owned and operated by an ambulance service that has a maximum of four full-time paid positions; and

(d) \$80 for each ambulance license if the ambulance is owned and operated by an ambulance service having five or more full-time paid positions.

(8) The fees established under subsection (7) of this section do not apply to an ambulance or vehicle described under ORS [682.035](#). [Formerly [823.070](#); 1997 c.316 §1]

682.050 [Amended by 1953 c.525 §6; 1969 c.276 §4; 1981 c.339 §7; 1983 c.486 §61; renumbered 677.825]

682.055 [1969 c.276 §6; renumbered 677.830]

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

682.060 [Renumbered 677.835]

682.065 [1969 c.276 §7; 1983 c.486 §62; renumbered 677.840]

682.070 [Amended by 1979 c.142 §2; repealed by 1983 c.486 §68]

682.075 State Emergency Medical Service Committee and department to adopt rules regarding ambulance construction, maintenance and operation; compliance with rules required to obtain license. (1)

Subject to any law or rule pursuant thereto relating to the construction or equipment of ambulances, the Department of Human Services shall, with the advice of the State Emergency Medical Service Committee appointed under ORS [682.195](#) and in accordance with ORS [183.310](#) to [183.550](#), adopt and when necessary amend or repeal rules relating to the construction, maintenance, capacity, sanitation, emergency medical supplies and equipment of ambulances.

(2) In order for an [owner](#) to secure and retain a license for an ambulance under this chapter, it shall meet the requirements imposed by rules of the [department](#). The requirements may relate to construction, maintenance, capacity, sanitation and emergency medical supplies and equipment on ambulances. Such requirements shall include, but are not limited to, requirements relating to space in [patient](#) compartments, access to [patient](#) compartments, storage facilities, operating condition, cots, mattresses, stretchers, cot and stretcher fasteners, bedding, oxygen and resuscitation equipment, splints, tape, bandages, tourniquets, [patient](#) convenience accessories, cleanliness of vehicle and laundering of bedding. [Formerly [823.080](#)]

682.080 [Amended by 1971 c.621 §41; 1975 c.607 §45; 1979 c.114 §3; renumbered 677.845]

682.085 Department authorized to inspect ambulance vehicles and services; authority to suspend or revoke license. (1) The Department of Human Services or its authorized representatives may at reasonable times inspect ambulances and ambulance services licensed or subject to being licensed under this chapter.

(2) The [department](#) may suspend or revoke a license if the ambulance service [owner](#) fails to take corrective action required pursuant to an inspection of an ambulance or ambulance service under this section.

[Formerly [823.090](#); 1997 c.316 §2]

682.090 [Amended by 1953 c.525 §6; 1955 c.135 §1; 1965 c.47 §1; 1969 c.276 §8; 1975 c.697 §4; 1979 c.114 §1; 1981 c.339 §8; 1983 c.486 §63; renumbered 677.850]

682.095 [1975 c.697 §2; repealed by 1983 c.486 §68]

682.100 [Repealed by 1981 c.339 §19]

682.105 Proof of financial responsibility required to obtain license; amounts; form of proof. (1) In order to secure and retain a license under this chapter, the [owner](#) of an ambulance or ambulance service, other than a governmental unit, shall file and maintain with the Department of Human Services proof of ability to respond in damages for liability arising from the ownership, operation, use or maintenance of the ambulance, or arising from the delivery of [prehospital care](#), in the amount of:

(a) \$100,000 because of bodily injury to or death of one [person](#) in any one accident;

(b) Subject to that limit for one [person](#), \$300,000 because of bodily injury to or death of two or more persons in any one accident;

(c) \$20,000 because of injury to or destruction of the property of others in any one accident; and

(d) \$500,000 because of injury arising from the negligent provision of [prehospital care](#) to any individual.

(2) Proof of financial responsibility under subsection (1) of this section may be given by filing with the [department](#) for the benefit of the [owner](#):

(a) A certificate of insurance issued by an insurance carrier licensed to transact insurance in this state showing that the [owner](#) has procured and that there is in effect a motor vehicle liability policy for the limits of financial responsibility mentioned in subsection (1)(a) to (c) of this section designating by explicit description all motor vehicles with respect to which coverage is granted thereby and insuring the named insured and all other persons using any such motor vehicle with insured's consent against loss from the liabilities imposed by law for damages arising out of the ownership, operation, use or maintenance of any such motor vehicle, and that there is in effect a professional liability policy for the limit of financial responsibility described in subsection (1)(d) of this section

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

insuring the named insured and all other persons engaged in the provision of [prehospital care](#) under the auspices of the licensed ambulance service against loss from the liabilities imposed by law for damages arising out of the provision of [prehospital care](#);

(b) A bond conditioned for the paying in behalf of the principal, the limits of financial responsibility mentioned in subsection (1) of this section; or

(c) A certificate of the State Treasurer that such [owner](#) has deposited with the State Treasurer the sum of \$320,000 in cash, in the form of an irrevocable letter of credit issued by an insured institution as defined in ORS [706.008](#) or in securities such as may legally be purchased by fiduciaries or for trust funds of a market value of \$320,000. [Formerly [823.100](#); 1997 c.631 §521]

682.107 Form of insurance used to satisfy financial responsibility requirement; cancellation or termination; coverage; multiple insurers. (1) When insurance is the method chosen to prove financial responsibility, the certificate of insurance shall be signed by an authorized company representative and shall contain the following information:

(a) The date on which the policy was issued.

(b) The name and address of the named insured.

(c) The policy number.

(d) The amount of coverage in terms of the liability limits stated in ORS [682.105](#).

(2) The policy of insurance for which the certificate is given shall not be canceled or terminated except upon the giving of 10 days' prior written notice to the Department of Human Services. However, an insurance policy subsequently procured and certified to the [department](#) shall, on the date the certificate is filed with the [department](#), terminate the insurance previously certified with respect to any [owner](#) or vehicle designated in both certificates.

(3) The vehicle policy need not insure any liability under any worker's compensation, nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment of the insured, or while engaged in the operation, maintenance or repair of a vehicle nor any liability for damage to property owned by, rented to, in charge of or transported by the insured.

(4) The requirements for a vehicle liability policy and certificate of insurance may be fulfilled by the policies and certificates of one or more insurance carriers which policies and certificates together meet such requirements.

[Formerly [823.110](#)]

682.109 Bonds, letters of credit or certificates of deposit used to prove financial responsibility. When a bond, letter of credit or certificate evidencing deposit with the Department of Transportation is the method chosen to prove financial responsibility, the provisions of ORS [806.090](#), [806.100](#) and [806.115](#) shall be deemed to refer to bonds, letters of credit, certificates, deposits and rights and remedies accruing thereunder under this chapter except that the dollar amounts required for the bonds, letters of credit or deposits and subject to the provisions shall be \$320,000 each respectively. [Formerly [823.120](#)]

682.110 [Amended by 1953 c.525 §6; 1969 c.276 §9; 1979 c.744 §55; repealed by 1981 c.339 §19]

682.115 [1971 c.734 §126; repealed by 1981 c.339 §19]

682.120 [Repealed by 1969 c.276 §10 (682.125 enacted in lieu of 682.120 and 682.130)]

682.125 [1969 c.276 §11 (enacted in lieu of 682.120 and 682.130); repealed by 1971 c.734 §21]

682.130 [Repealed by 1969 c.276 §10 (682.125 enacted in lieu of 682.120 and 682.130)]

682.135 Emergency medical technicians required to be certified; defense to charge of activity by uncertified person; exemptions from certificate requirement. (1) On and after September 13, 1975, it shall be unlawful:

(a) For any [person](#) to act as an [emergency medical technician](#) without being certified under this chapter.

(b) For any [person](#) or governmental unit which operates an ambulance to authorize a [person](#) to act for it as an [emergency medical technician](#) without being certified under this chapter.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- (c) For any [person](#) or governmental unit to operate or allow to be operated in this state any ambulance unless it is operated with at least one certified [emergency medical technician](#).
- (2) It is a defense to any charge under this section that there was a reasonable basis for believing that the performance of services contrary to this section was necessary to preserve human life, that diligent effort was made to obtain the services of a certified [emergency medical technician](#) and that the services of a certified [emergency medical technician](#) were not available or were not available in time as under the circumstances appeared necessary to preserve such human life.
- (3) Subsection (1) of this section is not applicable to any individual, group of individuals, partnership, entity, association or other organization otherwise subject thereto providing a service to the public exclusively by volunteer unpaid workers, nor to any [person](#) who acts as an ambulance attendant therefor, provided that in the particular county in which the service is rendered, the county court or [board](#) of county commissioners has by order, after public hearing, granted exemption from such subsection to the individual, group, partnership, entity, association or organization. When exemption is granted under this section, any [person](#) who attends an ill, injured or disabled [person](#) in an ambulance may not purport to be an [emergency medical technician](#) or use the designation "EMT." [Formerly [823.130](#)]
- 682.140** [Repealed by 1981 c.339 §19]
- 682.145 Certificates to be obtained from department; form and contents.** (1) For any [person](#) to be certified as an [emergency medical technician](#) or [first responder](#), an application for certification shall be made to the Department of Human Services. The application shall be upon forms prescribed by the [department](#) and shall contain:
- (a) The name and address of the applicant.
- (b) The name and location of the training course successfully completed by the applicant and the date of completion.
- (c) Certification that to the best of the applicant's knowledge the applicant is physically and mentally qualified to act as an [emergency medical technician](#) or [first responder](#), is free from addiction to controlled substances or alcoholic beverages, or if not so free, has been and is currently rehabilitated and is free from epilepsy or diabetes, or if not so free, has been free from any lapses of consciousness or control occasioned thereby for a period of time as prescribed by rule of the [department](#).
- (d) Such other information as the [department](#) may reasonably require to determine compliance with applicable provisions of this chapter and the rules adopted thereunder.
- (2) The application shall be accompanied by proof as prescribed by rule of the [department](#) of the applicant's successful completion of a training course approved by the [department](#), and if an extended period of time has elapsed since the completion of the course, of a satisfactory amount of continuing education.
- (3) The [department](#) shall adopt a schedule of minimum educational requirements in emergency and nonemergency care for [emergency medical technicians](#) and [first responders](#). The [department](#), with the advice of the State Emergency Medical Service Committee, may establish levels of [emergency medical technician](#) certification as may be necessary to serve the public interest. A course approved by the [department](#) shall be designed to protect the welfare of out-of-hospital patients, to promote the health, well-being and saving of the lives of such patients and to reduce their pain and suffering. [Formerly [823.140](#); 1997 c.637 §§2,2a]
- 682.150** [Amended by 1961 c.248 §4; 1969 c.276 §12; 1971 c.650 §31; 1973 c.289 §1; 1981 c.339 §9; renumbered 677.855]
- 682.155 Application fee; examination fee.** (1) A nonrefundable initial application fee shall be submitted with the initial application for [emergency medical technician](#) and [first responder](#) certification. In addition, a nonrefundable examination fee shall be submitted for the following purposes:
- (a) First responder written examination;
- (b) Emergency medical technician written examination;

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- (c) Emergency medical technician practical examination; and
(d) A fee deemed necessary by the Department of Human Services to cover the fee charged by the national examination agency or other examination service utilized by the [department](#) for the purpose of examining candidates for [emergency medical technician](#) certification.
- (2) Subject to the review of the Oregon Department of Administrative Services, the fees and charges established under this section shall not exceed the cost of administering the regulatory program of the Department of Human Services pertaining to the purpose for which the fee or charge is established, as authorized by the Legislative Assembly for the [department](#)'s budget, as the budget may be modified by the Emergency Board.
- (3) All moneys received by the [department](#) under this chapter shall be paid into the General Fund in the State Treasury and placed to the credit of the [department](#) account and such moneys hereby are appropriated continuously and shall be used only for the administration and enforcement of this chapter. [Formerly [823.145](#); 1997 c.751 §3]

Note: [682.155](#) (formerly [823.145](#)) was added to and made a part of ORS chapter 682 (formerly ORS chapter 823) by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

682.157 Issuance of certificates; fees; provisional certification; indorsement certification; continuing education; renewal; rules; driver license requirement. (1) When application has been made as required under ORS [682.145](#), the Department of Human Services shall certify the applicant as an [emergency medical technician](#) or as a [first responder](#) if it finds:

- (a) The applicant has successfully completed a training course approved by the [department](#).
(b) The applicant's physical and mental qualifications have been certified as required under ORS [682.145](#).
(c) No matter has been brought to the attention of the [department](#) which would disqualify the applicant.
(d) A nonrefundable fee has been paid to the [department](#) pursuant to ORS [682.155](#).
(e) The applicant for [emergency medical technician](#) certification is 18 years of age or older and the applicant for [first responder](#) is 16 years of age or older.
(f) The applicant has successfully completed examination as prescribed by the [department](#).
(g) The applicant meets other requirements prescribed by rule of the [department](#).
- (2) The [department](#) may provide for the issuance of a provisional certification for [emergency medical technicians](#).
- (3) The [department](#) may issue by indorsement certification for [emergency medical technician](#) without proof of completion of an approved training course to an [emergency medical technician](#) who is licensed to practice emergency care in another state of the United States or a foreign country if, in the opinion of the [department](#), the applicant meets the requirements of certification in this state and can demonstrate to the satisfaction of the [department](#) competency to practice emergency care. The [department](#) shall be the sole judge of credentials of any [emergency medical technician](#) applying for certification without proof of completion of an approved training course.
- (4) Each [person](#) holding a certificate under ORS [682.145](#) and this section shall submit, at the time of application for renewal of the certificate to the [department](#), evidence of the applicant's satisfactory completion of a [department](#) approved program of continuing education and other requirements prescribed by rule by the [department](#).
- (5) The [department](#) shall prescribe criteria and approve programs of continuing education in emergency and nonemergency care to meet the requirements of this section.
- (6) The [department](#) shall include a fee pursuant to ORS [682.155](#) for late renewal and for issuance of any duplicate certificate. Each certification issued under this section, unless sooner suspended or revoked, shall expire and be renewable after a period of two years. Each certificate must be renewed on or before June 30 of every second year. The [department](#) by rule shall establish a schedule of certificate renewals under this subsection and shall prorate the fees to reflect any shorter certificate period.

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(7) Nothing in this chapter authorizes an [emergency medical technician](#) or [first responder](#) to operate an ambulance without a driver license as required under the Oregon Vehicle Code. [Formerly [823.150](#); 1997 c.637 §4; 1997 c.751 §4]

682.160 [Amended by 1953 c.525 §6; 1975 c.697 §5; 1979 c.114 §2; 1981 c.339 §10; 1983 c.486 §64; renumbered 677.860]

682.165 [1975 c.697 §3; repealed by 1983 c.486 §68]

682.170 [Amended by 1967 c.15 §2; 1969 c.276 §13; 1969 c.314 §83; renumbered 677.865]

682.175 Denial, suspension or revocation of license and emergency medical technician certificate; investigation; confidentiality of information. (1) The Department of Human Services may deny, suspend or revoke licenses for ambulances and ambulance services in accordance with the provisions of ORS [183.310](#) to [183.550](#) for a failure to comply with any of the requirements of ORS [820.350](#) to [820.380](#) and this chapter or the rules adopted thereunder.

(2) The certification of an [emergency medical technician](#) may be denied, suspended or revoked in accordance with the provisions of ORS [183.310](#) to [183.550](#) for any of the following reasons:

(a) A failure to have completed successfully a [department](#) approved course.

(b) In the case of provisional certifications, failure to have completed successfully a [department](#) approved course.

(c) Failure to meet or continue to meet the physical and mental qualifications required to be certified under ORS [682.145](#).

(d) The use of [fraud or deception](#) in receiving a certificate.

(e) Practicing skills beyond the [scope of practice](#) established by the Board of Medical Examiners for the State of Oregon under ORS [682.245](#).

(f) Rendering emergency or nonemergency care under an assumed name.

(g) The impersonation of another EMT.

(h) Unprofessional conduct.

(i) Obtaining a fee by fraud or misrepresentation.

(j) Habitual or excessive use of intoxicants or drugs.

(k) The presence of a mental disorder that demonstrably affects an EMT's performance, as certified by two psychiatrists retained by the [department](#).

(L) Subject to ORS [670.280](#), conviction of any criminal offense that reasonably raises questions about the ability of the EMT to perform the duties of an EMT in accordance with the standards established by this chapter. A copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.

(m) Suspension or revocation of an [emergency medical technician](#) certificate issued by another state:

(A) For a reason that would permit the [department](#) to suspend or revoke a certificate issued under this chapter; &

(B) Evidenced by a certified copy of the order of suspension or revocation.

(n) Gross negligence or repeated negligence in rendering emergency medical assistance.

(o) Rendering emergency or nonemergency care without being certified except as provided in ORS [30.800](#).

(p) Rendering emergency or nonemergency care as an EMT without written authorization and [standing orders](#) from a [supervising physician](#) who has been approved by the [board](#) in accordance with ORS [682.245](#).

(q) Refusing an invitation for an interview with the [department](#) as specified in this section.

(3) The [department](#) may investigate any evidence that appears to show that an EMT certified by the [department](#) is or may be medically incompetent, guilty of unprofessional or dishonorable conduct or mentally or physically unable to safely function as an EMT. The [department](#) may investigate the off-duty conduct of an EMT to the extent that such conduct may reasonably raise questions about the ability of the EMT to perform the duties of an EMT in accordance with the standards established by this chapter. Upon receipt of a complaint about an EMT or applicant, the [department](#) shall conduct an investigation as described under ORS [676.165](#). An investigation shall be conducted in accordance with ORS [676.175](#).

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(4) Any health care facility licensed under ORS [441.015](#) to [441.087](#) and [441.820](#), any medical or osteopathic physician licensed under ORS chapter 677, any [owner](#) of an ambulance licensed under this chapter or any EMT certified under this chapter shall report to the [department](#) any information the [person](#) may have that appears to show that an EMT is or may be medically incompetent, guilty of unprofessional or dishonorable conduct or mentally or physically unable to safely function as an EMT.

(5) If, in the opinion of the [department](#), it appears that the information provided to it under provisions of this section is or may be true, the [department](#) may request an interview with the EMT. At the time the [department](#) requests an interview, the EMT shall be provided with a general statement of the issue or issues of concern to the [department](#). The request shall include a statement of the procedural safeguards available to the EMT, including the right to end the interview on request, the right to have counsel present and the following statement: "Any action proposed by the Department of Human Services shall provide for a contested case hearing."

(6) Information regarding an ambulance service provided to the [department](#) pursuant to this section is confidential and shall not be subject to public disclosure, nor shall it be admissible as evidence in any judicial proceeding. Information that the [department](#) obtains as part of an investigation into [emergency medical technician](#) or applicant conduct or as part of a contested case proceeding, consent order or stipulated agreement involving [emergency medical technician](#) or applicant conduct is confidential as provided under ORS [676.175](#). Information regarding an ambulance service does not become confidential due to its use in a disciplinary proceeding against an [emergency medical technician](#).

(7) Any [person](#) who reports or provides information to the [department](#) under this section and who provides information in good faith shall not be subject to an action for civil damage as a result thereof.

(8) In conducting an investigation under subsection (3) of this section, the [department](#) may:

- (a) Take evidence;
- (b) Take depositions of witnesses, including the [person](#) under investigation, in the manner provided by law in civil cases;
- (c) Compel the appearance of witnesses, including the [person](#) under investigation, in the manner provided by law in civil cases;
- (d) Require answers to interrogatories; and
- (e) Compel the production of books, papers, accounts, documents and testimony pertaining to the matter under investigation.

(9) The [department](#) may issue subpoenas to compel compliance with the provisions of subsection (8) of this section. If any [person](#) fails to comply with a subpoena issued under this subsection, or refuses to testify on matters on which the [person](#) may lawfully be interrogated, a court may compel obedience as provided in ORS [183.440](#). [Formerly [823.160](#); 1997 c.637 §5; 1997 c.751 §5; 1997 c.791 §33; 1999 c.554 §1; 2001 c.691 §1] **682.180** [Repealed by 1969 c.317 §2]

682.185 Discipline; purpose; civil penalty. (1) The Department of Human Services may discipline, as provided in this section, an ambulance service or any [person](#) certified as an [emergency medical technician](#) or [first responder](#) in this state who has:

- (a) Admitted the facts of a complaint which alleges facts which establish that such [person](#) is guilty of violation of one or more of the grounds for suspension or revocation of a certificate as set forth in ORS [682.175](#) or that an ambulance service has violated the provisions of this chapter or the rules adopted thereunder.
 - (b) Been found guilty in accordance with ORS [183.310](#) to [183.550](#) of violation of one or more of the grounds for suspension or revocation of certification as set forth in ORS [682.175](#) or that an ambulance service has violated the provisions of this chapter or the rules adopted thereunder.
- (2) The purpose of disciplining an EMT under this section is to ensure that the EMT will provide services that are consistent with the obligations of this chapter. Prior to taking final disciplinary action, the [department](#) shall



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

determine if the EMT has been disciplined for the questioned conduct by the EMT's employer or [supervising physician](#). The [department](#) shall consider any such discipline or any other corrective action in deciding whether additional discipline or corrective action by the [department](#) is appropriate.

(3) In disciplining an EMT or ambulance service as authorized by subsection (1) of this section, the [department](#) may use any or all of the following methods:

- (a) Suspend judgment.
- (b) Issue a letter of reprimand.
- (c) Issue a letter of instruction.
- (d) Place the EMT or ambulance service on probation.
- (e) Suspend the EMT certificate or ambulance service license.
- (f) Revoke the EMT certificate or ambulance service license.
- (g) Place limitations on the certificate of the EMT to practice emergency or nonemergency care in this state or place limitations on the license of the ambulance service.
- (h) Take such other disciplinary action as the [department](#) in its discretion finds proper, including assessment of the costs of the disciplinary proceedings as a civil penalty or assessment of a civil penalty not to exceed \$5,000, or both.

(4) In addition to the action authorized by subsection (3) of this section, the [department](#) may temporarily suspend a certificate or license without a hearing, simultaneously with the commencement of proceedings under ORS [183.310](#) to [183.550](#) if the [department](#) finds that evidence in its possession indicates that a continuation in practice of the EMT or operation of the ambulance service constitutes an immediate danger to the public.

(5) If the [department](#) places any EMT or ambulance service on probation as set forth in subsection (3)(d) of this section, the [department](#) may determine, and may at any time modify, the conditions of the probation and may include among them any reasonable condition for the purpose of protection of the public and for the purpose of the rehabilitation of the EMT or ambulance service, or both. Upon expiration of the term of probation, further proceedings shall be abated if the EMT or ambulance service has complied with the terms of the probation.

(6) If an EMT certified in this state is suspended, the holder of the certificate may not practice during the term of suspension.

(7) If an ambulance service licensed in this state is suspended, the ambulance service may not operate in this state during the term of the suspension, provided that the [department](#) shall condition such suspension upon such arrangements as may be necessary to assure the continued availability of ambulance service in the area served by that ambulance service. Upon expiration of the term of suspension, the certificate or license shall be reinstated by the [department](#) if the conditions for which the certificate or license was suspended no longer exist.

(8) Whenever an EMT certificate or ambulance service license is denied or revoked for any cause, the [department](#) may, in its discretion, after the lapse of two years from the date of such revocation, upon written application by the [person](#) formerly certified or licensed and after a hearing, issue or restore the EMT certificate or ambulance service license.

(9) Civil penalties under this section shall be imposed as provided in ORS [183.090](#). [Formerly [823.165](#); 1997 c.637 §6; 2001 c.691 §2]

682.190 [Amended by 1953 c.525 §6; 1955 c.135 §2; 1957 c.700 §1; 1967 c.637 §30; 1969 c.276 §14; repealed by 1973 c.427 §22 (682.191 enacted in lieu of 682.190)]

682.191 [1973 c.427 §23 (enacted in lieu of 682.190); 1983 c.486 §65; renumbered 677.870]

682.195 State Emergency Medical Service Committee; qualifications, terms, duties and compensation. (1) The Department of Human Services shall appoint a State Emergency Medical Service Committee composed of 18 members as follows:

- (a) Seven physicians licensed under ORS chapter 677 whose practice consists of routinely treating emergencies such as cardiovascular illness or trauma, appointed from a list submitted by the Board of Medical Examiners.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(b) Four [emergency medical technicians](#) whose practices consist of routinely treating emergencies, including but not limited to cardiovascular illness or trauma, at least one of whom is at the lowest level of [emergency medical technician](#) certification established by the [department](#) at the time of appointment. EMTs appointed pursuant to this paragraph shall be selected from lists submitted by each area trauma advisory [board](#). The lists shall include nominations from entities including but not limited to organizations that represent emergency care providers in Oregon.

(c) One volunteer ambulance operator, one [person](#) representing governmental agencies that provide ambulance services and one [person](#) representing a private ambulance company.

(d) One hospital administrator.

(e) One nurse who has served at least two years in the capacity of an emergency [department](#) nurse.

(f) One representative of an emergency dispatch center.

(g) One community college or licensed career school representative.

(2) The committee shall include at least one resident but no more than three residents from each region served by one area trauma advisory [board](#) at the time of appointment.

(3) Appointments shall be made for a term of four years in a manner to preserve insofar as possible the representation of the organization described in subsection (1) of this section. Vacancies shall be filled for any unexpired term as soon as the [department](#) can make such appointments. The committee shall choose its own chairperson and shall meet at the call of the chairperson or the [department](#) administrator.

(4) The State Emergency Medical Service Committee shall:

(a) Advise the [department](#) concerning the adoption, amendment and repeal of rules authorized by this chapter;

(b) Assist the Emergency Medical Services and Trauma Systems Program in providing state and regional emergency medical services coordination and planning;

(c) Assist communities in identifying emergency medical service system needs and quality improvement initiatives;

(d) Assist the Emergency Medical Services and Trauma Systems Program in prioritizing, implementing and evaluating emergency medical service system quality improvement initiatives identified by communities;

(e) Review and prioritize rural community emergency medical service funding requests and provide input to the Rural Health Coordinating Council; and

(f) Review and prioritize funding requests for rural community emergency medical service training and provide input to the Area Health Education Center program.

(5) The chairperson of the committee shall appoint a subcommittee on EMT certification and discipline, consisting of five physicians and four EMTs. The subcommittee shall advise the [department](#) and the [board](#) on the adoption, amendment, repeal and application of rules concerning ORS [682.135](#) to [682.175](#) and [682.245](#). The decisions of this subcommittee shall not be subject to the review of the full State Emergency Medical Service Committee.

(6) Members are entitled to compensation as provided in ORS [292.495](#). [Formerly [823.170](#); 1997 c.660 §1; 1997 c.751 §6; 1999 c.1056 §7]

682.200 [Amended by 1961 c.248 §5; renumbered 677.875]

682.205 County plan for ambulance and emergency medical services. (1) Each county shall develop a plan for the county or two or more contiguous counties may develop a plan relating to the need for and coordination of ambulance services and establish one or more ambulance service areas consistent with the plan for the efficient and effective provision of ambulance services.

(2) Each [person](#), city or rural fire protection district within the county that provides or desires to provide ambulance services shall notify the county in writing if the [person](#), city or district wants to be consulted prior to the adoption or amendment of a county plan for ambulance services.

(3) Prior to adopting or amending a plan under subsection (1) of this section, a county shall notify each [person](#), city or district that notified the county under subsection (2) of this section of its desire to be consulted. The

Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

county governing body shall consult with and seek advice from such persons, cities and districts with regard to the plan and to the boundaries of any ambulance service areas established under the plan. After such consultation, the county shall adopt or amend a plan in the same manner as the county enacts nonemergency ordinances.

(4) Any plan developed and any service area established pursuant to subsection (1) of this section shall be submitted to the Department of Human Services.

(5) The [department](#), in consultation with the appropriate bodies specified in subsection (1) of this section, shall adopt rules pursuant to ORS [183.310](#) to [183.550](#) that specify those subjects to be addressed and considered in any plan for ambulance services and areas under subsection (1) of this section and those subjects to be addressed and considered in the adoption of any such plan. The rules shall be uniform, as far as practicable, but take into consideration unique circumstances of local districts.

(6) The [department](#) shall review a plan submitted under subsection (4) of this section for compliance with the rules of the [department](#) adopted under subsection (5) of this section. Not later than 60 days after receiving the plan, the [department](#) shall approve the plan if it complies with the rules or disapprove the plan.

The [department](#) shall give written notice of such action to the county and, when a plan is not approved, the notice shall indicate specifically how the plan does not comply with the rules of the [department](#). The county shall modify the plan to comply with the rules and shall submit the modified plan to the [department](#) for review under this subsection.

(7) The rules adopted under subsection (5) of this section shall be enforceable by the [department](#) in a proceeding in circuit court for equitable relief.

(8) This section does not require a county to establish more than one ambulance service area within the county. [Formerly [823.180](#)]

682.210 [Renumbered 677.880]

682.215 Rulemaking authority generally. (1) In accordance with ORS [183.310](#) to [183.550](#), the Department of Human Services may adopt and may when necessary amend or repeal such rules as are necessary for carrying out this chapter.

(2) The [department](#) is authorized and directed to establish appropriate rules in accordance with the provisions of ORS [183.310](#) to [183.550](#) concerning the administration of this chapter. Such rules may deal with, but are not limited to, such matters as criteria for requirements, types and numbers of emergency vehicles including supplies and equipment carried, requirements for the operation and coordination of ambulances and other emergency care systems, criteria for the use of two-way communications, procedures for summoning and dispatching aid and other necessary and proper matters. [Formerly [823.190](#)]

682.225 Rulemaking authority with respect to minimum requirements for vehicles and services. (1) The Department of Human Services, in consultation with the State Emergency Medical Service Committee, shall adopt rules specifying minimum requirements for ambulance services, and for staffing and medical and communications equipment requirements for all types of ambulances. The rules shall define the requirements for advanced life support and basic life support units of emergency vehicles, including equipment and [emergency medical technician](#) staffing of the passenger compartment when a [patient](#) is being transported in emergency circumstances.

(2) The [department](#) may waive any of the requirements imposed by this chapter in medically disadvantaged areas as determined by the Director of Human Services, or upon a showing that a severe hardship would result from enforcing a particular requirement.

(3) The [department](#) shall exempt from rules adopted under this section air ambulances that do not charge for the provision of ambulance services. [Formerly [823.200](#); 1997 c.751 §7]

682.235 [Formerly 823.204; repealed by 1997 c.249 §209]

682.245 Rulemaking authority with respect to scope of practice of EMTs and first responders; qualifications of supervising physician. (1) The Board of Medical Examiners for the State of Oregon shall
Chapter 682 – Continued — Regulation of Ambulance Services and Emergency Medical Personnel



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

adopt by rule a [scope of practice](#) for [emergency medical technicians](#) at such levels as may be established by the Department of Human Services and for [first responders](#).

(2) The [board](#) shall adopt by rule standards for the qualifications and responsibilities of [supervising physicians](#).

(3) The [standing orders](#) for [emergency medical technicians](#) and [first responders](#) may not exceed the [scope of practice](#) defined by the [board](#).

(4) No [emergency medical technician](#) shall provide [patient](#) care or treatment without written authorization and [standing orders](#) from a [supervising physician](#) who has been approved by the [board](#).

(5) The policies and procedures for applying and enforcing this section may be delegated in whole or in part to the [department](#). [Formerly [823.205](#); 1997 c.751 §9]

682.255 False statements and misrepresentations regarding license or certification prohibited. (1) It is unlawful for any [person](#) or governmental unit to:

(a) Intentionally make any false statement on an application for an ambulance service license, ambulance vehicle license or for certification as an [emergency medical technician](#) or [first responder](#) or on any other documents required by the Department of Human Services; or

(b) Make any misrepresentation in seeking to obtain or retain a certification or license.

(2) Any violation described in subsection (1) of this section is also grounds for denial, suspension or revocation of a certification or license under ORS [682.175](#). [Formerly [823.210](#)]

682.265 Prohibition against misleading actions regarding qualifications. No [emergency medical technician](#) or [first responder](#) shall mislead any [person](#) as to the qualifications of the technician or responder. [Formerly [823.215](#); 1997 c.751 §10]

682.275 Authority to enact local ordinances regulating ambulances and emergency medical technicians.

(1) As used in this section, "political subdivision" includes counties, cities, districts, authorities and other public corporations and entities organized and existing under statute or charter.

(2) An ordinance of any political subdivision regulating ambulance services or [emergency medical technicians](#) shall not require less than is required under ORS [820.300](#) to [820.380](#), or this chapter or the rules adopted by the Department of Human Services under this chapter.

(3) When a political subdivision enacts an ordinance regulating ambulance services or [emergency medical technicians](#), the ordinance must comply with the county plan for ambulance services and ambulance service areas adopted under ORS [682.205](#) by the county in which the political subdivision is situated and with the rules of the [department](#) relating to such services and service areas. The determination of whether the ordinance is in compliance with the county plan shall be made by the county governing body. [Formerly [823.220](#)]

682.285 Authority to grant exemptions or variances; rules. (1) The Department of Human Services may grant exemptions or variances from one or more of the requirements of ORS [820.330](#) to [820.380](#) or this chapter or the rules adopted thereunder to any class of vehicles if it finds that compliance with such requirement or requirements is inappropriate because of special circumstances which would render compliance unreasonable, burdensome or impractical due to special conditions or cause, or because compliance would result in substantial curtailment of necessary ambulance service. Such exemptions or variances may be limited in time or may be conditioned as the [department](#) considers necessary to protect the public welfare.

(2) In determining whether or not a variance shall be granted, the advice of the State Emergency Medical Service Committee shall be received and in all cases the equities involved and the advantages and disadvantages to the welfare of patients and the owners of vehicles shall be weighed by the [department](#).

(3) Rules under this section shall be adopted, amended or repealed in accordance with ORS [183.330](#). [Formerly [823.230](#)]

682.295 Authority to receive and disburse federal funds. The Department of Human Services may receive and disburse such federal funds as may be available for carrying out any of the provisions of ORS [820.330](#) to [820.380](#) or this chapter. [Formerly [823.240](#)]



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

682.305 Replacement of one ambulance service by another. (1) When a city, county or district requires an ambulance service currently operating within the city, county or district to be replaced by another public or private ambulance service, the city, county or district shall provide that:

- (a) Paramedic staffing shall be maintained at least at the levels established in the local plan for ambulance services and ambulance service areas developed under ORS [682.205](#); and
- (b) When hiring paramedics to fill vacant or new positions during the six-month period immediately following the date of replacement, the replacement ambulance service shall give preference to qualified employees of the previous ambulance service at comparable certification levels.

(2) As used in this section:

- (a) "Ambulance" has the meaning given that term by ORS [682.025](#).
- (b) "Ambulance service" means any individual, partnership, corporation, association or agency that provides transport services and emergency medical services through use of licensed ambulances.
- (c) "District" has the meaning given that term by ORS [198.010](#).
- (d) "Paramedic" has the meaning given that term by ORS [682.025](#). [Formerly [823.250](#)]

682.315 Legislative intent regarding regulation of ambulance services. The Legislative Assembly declares that the regulation of ambulance services and the establishment of ambulance service areas are important functions of counties, cities and rural fire protection districts in this state. It is the intent of the Legislative Assembly in ORS [478.260](#), [682.205](#), [682.275](#) and [682.315](#) to [682.345](#) to affirm the authority of counties, cities and rural fire protection districts to regulate ambulance services and areas and to exempt such regulation from liability under federal antitrust laws. [Formerly [823.300](#)]

682.325 Definition of "ambulance services" for ORS 682.205, 682.275 and 682.345. As used in ORS [682.205](#), [682.275](#) and [682.345](#), "ambulance services" includes the transportation of an ill, injured or disabled individual in an ambulance and, in connection therewith, the administration of prehospital and out-of-hospital medical, emergency or nonemergency care, if necessary. [Formerly [823.305](#); 1997 c.637 §3]

682.335 Requirements for adoption and review of ambulance service plan by counties. (1) In addition to the other requirements of ORS [682.205](#) and [682.275](#), when initially adopting a plan for ambulance services and ambulance service areas under ORS [682.205](#) or upon any subsequent review of the plan, a county shall:

- (a) Consider any and all proposals for providing ambulance services that are submitted by a [person](#) or governmental unit or a combination thereof;
- (b) Require persons and governmental units that desire to provide ambulance services under the plan to meet all the requirements established by the plan; and
- (c) Consider existing boundaries of cities and rural fire protection districts when establishing ambulance service areas under the plan.

(2) Subsection (1)(a) and (c) of this section shall not apply to any county that, on or before the July 19, 1989, has initiated its bid process and solicited bids.

(3) When determining the provider of ambulance services upon initial adoption or subsequent review of a plan under ORS [682.205](#), a county shall not grant preference under the plan to any [person](#) or governmental unit solely because that [person](#) or governmental unit is providing ambulance services at the time of adoption or review of the plan. [Formerly [823.310](#)]

682.345 Provision of ambulance services when county plan not adopted. When a county plan is not adopted for a county under ORS [682.205](#):

- (1) A [person](#) or governmental unit may provide ambulance services within the county. A city or rural fire protection [district](#) may provide such services within and outside the city or [district](#) boundaries in accordance with policies adopted by the governing body of the city or [district](#), including operation in other districts or cities by intergovernmental agreement under ORS chapter 190.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(2) A [person](#) or governmental unit that did not provide ambulance services prior to January 1, 1989, shall not commence the operation of such services under subsection (1) of this section until July 1, 1990, except within an area:

(a) That is otherwise not being served by any other provider of ambulance services; or

(b) For which the fees or other charges for ambulance services are increased between July 15, 1989, and July 1, 1990, by an existing provider of ambulance services. [Formerly [823.315](#)]

682.355 Exchange of services agreement for ambulance and emergency medical services. (1) A city, rural fire protection [district](#) or rural ambulance [district](#) providing transportation services through use of licensed ambulances that either individually or jointly accept prepayment from persons within their service areas for ambulance and emergency medical services, or ambulance services only, but not for other health care services, and a for-profit or not-for-profit corporation that accepts prepayment for ambulance and emergency medical services, or ambulance services only, but not for other health services, operating within this state or in another state, may enter into an exchange of services agreement for ambulance and emergency medical services.

(2) Any public entity described in subsection (1) of this section may enter into an exchange of services agreement with another comparable entity, operating within this state or in another state, for ambulance and emergency medical services. [Formerly [823.320](#)]

Note: [682.355](#) (formerly [823.320](#)) was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 682 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

PENALTIES

682.990 [Renumbered 677.990 (4)]

682.991 Civil and criminal penalties. (1) Violation of any provision of ORS [682.047](#) (5), [682.135](#) or [682.255](#) is a Class A misdemeanor. Each day of continuing violation shall be considered a separate offense.

(2) Violation of any provision of this chapter is a misdemeanor. In any prosecution for such violation it shall be sufficient to sustain a conviction to show a single act of conduct in violation of any of the provisions of this chapter and it shall not be necessary to show a general course of such conduct.

(3) In addition to the penalties under this section, the Department of Human Services may assess civil penalties of up to \$5,000 per violation against any entity or [person](#) licensed under this chapter or subject to licensure under this chapter. [Formerly [823.990](#)]

Chapter 478 — Rural Fire Protection Districts

2023 EDITION

RURAL FIRE PROTECTION DISTRICTS

PROTECTION FROM FIRE

GENERAL PROVISIONS

- 478.001 Definitions
- 478.002 Status of districts existing in 1957
- 478.004 New district succeeds to and replaces abolished district

FORMATION

- 478.010 Formation; territories that may not be included in districts
- 478.050 Qualifications for directors
- 478.090 Effect of 1939 Act on districts then existing
- 478.100 Immaterial defects in organization not to invalidate district organization

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- 478.115 County governing body to determine territory of district
- 478.120 Inclusion of forestland in district
- 478.130 Certain structures subject to fire damage to be added to tax rolls
- 478.140 Procedure for adding land to district by consent of owner
- 478.150 Conference with State Forestry Department required prior to formation of district or annexation of territory
- 478.155 Formation of district with tax zones; contents of formation petition and order creating district; determination of tax levy in each zone; boundary changes
- 478.160 Filing of boundary or zone change with county assessor and Department of Revenue

POWERS AND DUTIES

- 478.210 Directors; organization; term; oath
- 478.215 Position numbers for director election
- 478.221 Nomination and election of directors
- 478.225 Election subdistricts; petition for formation; election
- 478.228 Boundaries of subdistricts
- 478.231 Election laws applicable
- 478.234 Subdistricts for nomination or election of directors
- 478.240 Special elections; electors
- 478.250 Meetings and officers of board
- 478.260 Fire chief; headquarters; fire evacuation routes; emergency medical services
- 478.270 Reports of directors; State Fire Marshal cooperation; uniform forms
- 478.280 Employment of assistants
- 478.290 Additional authority of districts within 10-mile radius of city of 100,000 or more
- 478.300 Contracting with others to provide facilities and services for fire protection or road lighting; authority over open burning and fire permits; rules
- 478.305 Contracting with others for mutual communication system; contracts in other states
- 478.308 Contracting with others for regional oil and hazardous material emergency response team
- 478.310 Response to fire or public safety incident outside its own territory by district or municipality; liability for costs
- 478.315 Response to fire or public safety incident in Columbia River Gorge National Scenic Area; payment of costs

BENEFITS FOR DISTRICT EMPLOYEES

- 478.325 District may levy taxes for purposes of ORS 478.335 to 478.370
- 478.335 Contracts for medical and hospital services or insurance
- 478.340 Payment of premiums or charges on contracts; employee contributions; multiple contracts
- 478.355 Establishment of employee retirement system; provisions of plan

- 478.360 Fund to provide retirement benefits
- 478.365 Employee contributions to retirement fund
- 478.370 Retirement benefits not to be funded for individual not employee of district when membership in system created

BENEFITS FOR DISTRICT VOLUNTEERS

- 478.390 Investments authorized to fund length of service awards for volunteer firefighters



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

Chapter 478 Continued— Rural Fire Protection Districts

REVENUES AND FINANCES

(Generally)

- 478.410 Power of district to levy taxes, borrow money, sell bonds and create fees
- 478.420 Sale of bonds
- 478.430 Ad valorem tax
- 478.440 Gifts; sinking fund
- 478.450 Tax for road lighting; method
- 478.460 Deposit and disbursement of funds
- 478.470 Interest on unpaid warrants; limitation on amount of warrants

(Tax Zones)

- 478.480 Formation of tax zones; basis for zones; public hearing
- 478.485 Notice of public hearing
- 478.490 Election on question of dividing district into tax zones; order creating zones; effect
- 478.495 Limitation on changes in tax zone boundaries
- 478.500 Determination of tax levy in each tax zone
- 478.505 Petition for tax zones by district electors; number of signatures required; public hearing

(Multicounty Districts)

- 478.560 Deposit and disbursement of funds of districts located in two or more counties

CHANGES TO DISTRICT

- 478.665 Withdrawal of territory from district; inclusion in forest protection district; assessment
- 478.702 Annexing lands to district

FIRE SAFETY SYSTEMS

- 478.840 Definitions for ORS 478.845 to 478.875
- 478.845 Revenue bonds authorized for fire safety systems
- 478.850 Sources of bond payment restricted
- 478.855 Loan fund created from bond proceeds; other sources for fund
- 478.860 Standards for eligibility for loans for fire safety systems
- 478.865 Loan contract; repayment plan; terms and conditions
- 478.870 Powers granted to enforce loan contracts and secure payment of bonds; reserve fund
- 478.875 Remedies for breach of loan contract
- 478.880 Legislative findings
- 478.885 Payment or repayment for cost of fire safety system installation in multifamily housing

FIRE PREVENTION CODE; FIRE PERMITS

- 478.910 Adoption of fire prevention code
- 478.920 Scope of fire prevention code
- 478.924 Approval of code by city or county required
- 478.927 Building permit review for fire prevention code
- 478.930 Violation of code; failure to remove hazards; burning waste without permit prohibited
- 478.940 Filing and posting of fire prevention code

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

- 478.960 Burning of certain materials permitted only with permission of fire chief; damage or injury; burning schedules and restrictions
- 478.965 Recovery by district of costs of suppressing unlawful fire; attorney fees

DISTRICT IDENTIFICATION NAMES

- 478.970 Purpose of district identification names
- 478.972 Application by district to State Fire Marshal for identification name
- 478.980 Identification name for district formed by consolidation or merger of districts
- 478.982 Reuse of names of dissolved districts

PENALTIES

- 478.990 Penalties

GENERAL PROVISIONS

478.001 Definitions. (1) As used in this chapter, unless the context requires otherwise:

- (a) “Board of directors” or “district board” means the governing body of a district.
 - (b) “County” means the county in which the district, or the greater portion of the taxable assessed value of the district, is located.
 - (c) “County board” means the county court or board of county commissioners of the county.
 - (d) “District” means a rural fire protection district proposed to be organized or organized under, or subject to, this chapter.
 - (e) “Owner” or “landowner” means a legal owner of real property or the vendee of a contract of purchase of real property, if any, to the exclusion of the vendor. The term includes a unit owner, as defined in ORS 100.005.
- (2) As used in ORS 478.960:
- (a) “Commercial waste” means any waste produced in any business involving the lease or sale, including wholesale and retail, of goods or services, including but not limited to housing, and means any waste produced by a governmental, educational or charitable institution; however, it does not include any waste produced in a dwelling containing four living units or less.
 - (b) “Demolition material” means any waste resulting from the complete or partial destruction of any man-made structure such as a house, apartment, commercial building or industrial building.
 - (c) “Domestic waste” means any nonputrescible waste, consisting of combustible materials, such as paper, cardboard, yard clippings, wood, or similar materials, generated in a dwelling, including the real property upon which it is situated, containing four living units or less.
 - (d) “Field burning” means the burning of any grass field, grain field, pasture, rangeland or other field by open burning or by use of mobile equipment or flaming equipment on any land or vegetation.
 - (e) “Industrial waste” means any waste resulting from any process or activity of manufacturing or construction.
 - (f) “Land clearing debris” means any waste generated by the removal of debris, logs, trees, brush or demolition material from any site in preparation for land improvement or construction projects.
 - (g) “Open burning” means any burning conducted in such a manner that combustion air is not effectively controlled and that combustion products are not vented through a stack or chimney, including but not limited to burning conducted in open outdoor fires, common burn barrels and backyard incinerators. [1969 c.667 §2; 1975 c.635 §3; 1983 c.83 §95; 1983 c.350 §282; 1987 c.834 §5]

478.002 Status of districts existing in 1957. (1) There hereby is created a rural fire protection district territorially coterminous with each rural fire protection district existing on July 2, 1957, or established after July 2, 1957, and prior to November 22, 1957, if such rural fire protection district was at that time a valid district but for the fact that its electorate was restricted to property owners. In determining the boundaries of districts created by this subsection, full effect shall be given to annexations, withdrawals and consolidations effected by rural fire protection

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

districts prior to November 22, 1957, under this chapter or other statutes authorizing or purporting to authorize such action.

(2) Rural fire protection districts territorially coterminous with the districts created by subsection (1) of this section hereby are abolished.

(3) Rural fire protection districts created by this section shall be governed by this chapter. [1957 s.s. c.10 §1; 1959 c.344 §1]

478.004 New district succeeds to and replaces abolished district. Each rural fire protection district created by ORS 478.002 shall in all respects succeed to and replace the territorially coterminous rural fire protection district abolished by ORS 478.002. Without limiting the foregoing:

(1) A successor district is:

(a) The owner of the property of the succeeded district, including real property and funds on deposit with the county treasurer or banks.

(b) Successor party to the contracts of the succeeded district.

(c) Successor party to the court proceedings of the succeeded district.

(d) Successor obligor on the indebtedness of the succeeded district.

(2) The rules, regulations, fire protection codes and identification numbers of the succeeded district are the rules, regulations, fire protection codes and identification numbers of the successor district, until changed by appropriate action under this chapter.

(3) The directors and officers of the succeeded district are the directors and officers of the successor district. Each director and officer shall hold office for a term equal to the term of the office of the director or officer in the succeeded district. [1957 s.s. c.10 §2]

FORMATION

478.010 Formation; territories that may not be included in districts. (1) A rural fire protection district may be formed in the manner set forth in ORS 478.010 to 478.100.

(2) A district may not include:

(a) Territory within a city unless otherwise authorized by law.

(b) Territory within a water supply district organized under ORS chapter 264 if the district has previously been authorized by its electors to exercise the fire protection powers prescribed by ORS 264.340.

(c) Forestlands included within a forest protection district under ORS 477.205 to 477.281 unless the owner consents and notifies the rural fire protection district, however, forestland protected pursuant to ORS 477.205 to 477.281 and not exceeding five acres in one ownership shall be included in the rural fire protection district without the owner's consent if the ownership includes any structures subject to damage by fire. Forestland included in a rural fire protection district under this subsection subjects the forestland to assessments for fire protection by the rural fire protection district and the forest protection district.

(d) Railroad rights of way or improvements thereon or rolling stock moving thereover unless the owner of such property consents.

(e) Ocean shores as defined by ORS 390.605. [Subsection (2) enacted as 1953 c.144 §1; 1969 c.651 §3; 1969 c.667 §§3,69; 1971 c.727 §137; 1973 c.124 §1; 1973 c.337 §1a; 2001 c.104 §217]

478.020 [Amended by 1967 c.610 §2; 1969 c.667 §4; repealed by 1971 c.727 §203]

478.030 [Amended by 1967 c.610 §3; 1969 c.667 §5; repealed by 1971 c.727 §203]

478.040 [Repealed by 1957 s.s. c.10 §4 (478.041 enacted in lieu of 478.040)]

478.041 [1957 s.s. c.10 §5 (enacted in lieu of 478.040); 1959 c.68 §1; 1961 c.523 §1; 1961 c.549 §1; 1969 c.667 §6; repealed by 1971 c.727 §191]

478.050 Qualifications for directors. A director of a district shall be an elector or an owner within the district. A district may determine, by ordinance that takes effect at least one year prior to the date of a regular district

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

election, that firefighters of the district, volunteer or otherwise, and other district employees shall not serve as directors. [Amended by 1963 c.299 §1; 1969 c.667 §7; 1971 c.647 §109; 1971 c.727 §§139,197; 1973 c.618 §1; 1987 c.834 §1]

478.060 [Amended by 1963 c.299 §2; repealed by 1971 c.647 §149 and by 1971 c.727 §203]

478.070 [Amended by 1961 c.549 §2; 1969 c.667 §8; repealed by 1971 c.727 §203]

478.080 [Amended by 1961 c.549 §3; 1969 c.667 §9; repealed by 1971 c.647 §149; 1971 c.727 §203]

478.090 Effect of 1939 Act on districts then existing. Nothing in this chapter shall be construed as impairing the legality or organization of any rural fire protection district existing on June 14, 1939, nor to exclude from such districts any lands then included therein, nor the legality of any act of such district done in accordance with the prior law, nor shall it be deemed to affect the legality of the election of any officer of any such existing rural fire protection district. Nor shall anything in this chapter be deemed in any way to affect any indebtedness or financial obligation lawfully created by any fire protection district existing on June 14, 1939, and such existing rural fire protection district is confirmed and for the purpose of continued and future operation shall be deemed as organized under the terms and conditions of this chapter and entitled to all benefits and clothed with all the rights, powers and duties as by this chapter provided.

478.100 Immaterial defects in organization not to invalidate district organization. No final order of a county board establishing a district shall be set aside, or annulled upon appeal or review, on account of any defect or irregularity in the petition asking for organization of such district, or notice thereof, which does not materially affect the substantial rights of an interested party. The following irregularities are declared to be immaterial defects:

(1) Errors of description of the intermediate points, courses or distances of the exterior boundaries of the proposed district set out in the petition for organization or as changed at the hearing by the county board, when the exterior boundaries can be otherwise definitely determined.

(2) Errors in posting notices where it can be shown that all persons objecting to the proceedings had actual notice thereof prior to the hearing.

(3) Errors in or omissions of the names of petitioners or number thereof, or in the percentage thereof of property owners in the district, required to sign the petition for organization, where there is entered upon the records of the county board an order or proclamation establishing or legally forming such district. [Amended by 1969 c.667 §10; 1975 c.326 §4]

478.110 [Repealed by 1969 c.667 §70]

478.115 County governing body to determine territory of district. Subject to the provisions of ORS 478.010, a county governing body may, under ORS 198.705 to 198.955, include in or exclude from a proposed district, or territory proposed to be annexed to a district, such territory as it determines. [1979 c.473 §2]

478.120 Inclusion of forestland in district. The authority to include forestland within a rural fire protection district pursuant to ORS 478.010 (2)(c) applies to forestland within the exterior boundaries of an existing district and to forestland on which structures subject to damage by fire have been added after July 20, 1973. [1973 c.337 §3]

478.130 Certain structures subject to fire damage to be added to tax rolls. Any land upon which structures subject to damage by fire have been built shall be added to the assessment roll for the tax year beginning July 1 following the calendar year in which construction on the structure was begun. [1973 c.337 §4; 1993 c.270 §68]

478.140 Procedure for adding land to district by consent of owner. Any owner consenting to add the forestland of the owner to the district under ORS 478.010 (2)(c) shall do so on forms supplied by the Department of Revenue. The owner shall file the original with the district. The district shall forward a copy to the assessor of each county in which the land is located, within 20 days of receipt. [1973 c.337 §5]

478.150 Conference with State Forestry Department required prior to formation of district or annexation of territory. Prior to the formation of any rural fire protection district or the annexation of any territory to an existing rural fire protection district of any territory within the exterior boundaries of a forest protection district

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

established pursuant to ORS chapter 477, the petitioners of the proposed district or annexation shall confer with the State Forestry Department in determining the boundaries and lands to be included within the rural fire protection district. [1973 c.337 §6]

478.155 Formation of district with tax zones; contents of formation petition and order creating district; determination of tax levy in each zone; boundary changes. (1) When formation of a district is proposed after October 15, 1983, the petition or order for formation may include, in addition to other information required under ORS 198.750 or 198.835:

(a) A statement that the district shall be divided into a specified number of zones for the purpose of imposing and levying ad valorem taxes at different rates in each zone based upon differences in services provided by the district in each zone.

(b) The boundaries of the proposed zones.

(2) If an election on formation of the district is held, the county board shall order the questions of whether or not to form the district and, if the district is formed, whether or not to divide it into zones to be submitted to the voters as separate questions to be voted upon separately.

(3) After an election on formation is held, if both the formation of the district and the division of the district into zones are approved by the voters, the order issued under ORS 198.820 (3) creating the district shall declare that the district contains zones with the boundaries specified in the petition or order for formation. If only formation of the district is approved by the voters, the order creating the district shall be issued as provided in ORS 198.820.

(4) If the district is formed without an election, the order issued under ORS 198.820 (3) creating the district shall declare that the district contains zones with the boundaries specified in the petition or order for formation.

(5) When a district containing zones is formed under this section, the first board of directors of the district, prior to the levy of any ad valorem taxes by the district, shall provide notice of a public hearing and conduct the hearing as provided in ORS 478.480 (2) and 478.485. After the public hearing required under this section, the board shall enter an order in its journal stating the percentage of the total amount of ad valorem taxes of the district that will be collected in each zone. The board may then determine, make and declare the ad valorem tax levy for each zone.

(6) The boundaries of the zones and the percentages of taxes collected in each zone that are established for a district under this section shall be effective until the regular district election in the first odd-numbered year following the year in which the district is formed. At that regular district election, a proposal for changing the boundaries of the zones may be submitted to the voters of the district as provided in ORS 478.480 (2), 478.485 and 478.490. If no proposal for a boundary change is submitted, the boundaries of the zones established upon formation of the district shall be retained until notice of a change is given to, and approved by, the voters of the district as provided in ORS 478.480 (2), 478.485 and 478.490. [1983 c.569 §8]

478.160 Filing of boundary or zone change with county assessor and Department of Revenue. For purposes of ad valorem taxation, a boundary or zone change must be filed in final approved form with the county assessor and the Department of Revenue as provided in ORS 308.225. [2001 c.138 §38]

POWERS AND DUTIES

478.210 Directors; organization; term; oath. (1) The power and authority given to the district, except as otherwise provided, is vested in and shall be exercised by a board of five directors. Except as provided by subsection (3) of this section, the term of director is four years.

(2) The board of directors shall fill any vacancy on the board as provided in ORS 198.320.

(3) Within 10 days after receiving their certificates of election, the members of the first board of a district shall meet and organize by first taking and subscribing an oath of office. At the same meeting, the directors shall determine by lot the length of term each shall hold office. Of the members of the board first elected:

(a) The terms of two directors shall expire June 30 next following the first regular district election;

(b) The terms of three members shall expire June 30 next following the second regular district election.

[Amended by 1969 c.667 §11; 1971 c.727 §140; 1973 c.796 §67; 1975 c.647 §43; 1983 c.350 §283]

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.215 Position numbers for director election. (1) Each office of director shall be designated by number as Position No. 1, Position No. 2 and so forth.

(2) The secretary of a district shall assign a position number to each office on the board. The number so assigned shall be certified by the secretary to the director in office holding that position. A copy of the certification shall be filed in the records of the elections officer for the district. [1977 c.301 §4; 1983 c.350 §284]

478.220 [Repealed by 1957 s.s. c.10 §6 (478.221 enacted in lieu of 478.220)]

478.221 Nomination and election of directors. (1) Candidates for election from subdistricts created by ORS 478.225 shall be nominated by electors of the subdistricts. Candidates for election at large may be nominated by electors of subdistricts or by electors of the district, or any combination of such methods.

(2) Subject to ORS 478.225, the directors may be elected in one of the following methods or a combination of both:

(a) Elected by electors of subdistricts.

(b) Elected at large by position number by the electors of the district. [1957 s.s. c.10 §7 (enacted in lieu of 478.220); 1969 c.667 §§13,66; 1969 c.669 §12; 1971 c.647 §111; 1973 c.796 §68; 1975 c.647 §44; 1979 c.364 §6; 1983 c.350 §285]

478.225 Election subdistricts; petition for formation; election. (1) This section establishes the procedure for determining either of the following questions:

(a) Whether subdistricts should be created in a district for the purpose of nominating or electing two or more directors.

(b) Whether the method established in a district for nominating and electing directors should be changed to another method.

(2) A question under this section shall be decided by election. The district board shall order an election when a petition is filed as provided in this section.

(3) Except as otherwise provided in this section, the requirements for preparing, circulating and filing a petition under this section shall be as provided for an initiative petition in ORS 255.135 to 255.205.

(4) If the question proposes creation of subdistricts or a change in the boundaries or the number of existing subdistricts, the following requirements shall apply:

(a) The petition shall contain a map indicating the proposed subdistrict boundaries. The map shall be attached to the cover sheet of the petition and shall not exceed 14 inches by 17 inches in size.

(b) Notwithstanding ORS 250.035, the statement summarizing the measure and its major effect in the ballot title shall not exceed 150 words.

(c) The following apply to the statement summarizing the measure and its major effect in the ballot title:

(A) The statement shall specify the method of nomination and election of directors from among the methods described in ORS 478.221.

(B) The statement shall specify whether, in filling each position on the board, an elector of the district may sign a petition of nomination or vote for a candidate from any subdistrict or only for a candidate from the subdistrict in which the elector resides.

(C) If the method for nominating directors combines nomination of candidates from and by subdistricts and nomination of candidates at large, the statement shall specify the number of candidates to be nominated in each manner. The statement shall include a general description of the proposed boundaries of the subdistricts, using streets and other generally recognized features.

(d) The order calling the election shall contain a map of the proposed subdistrict boundaries and a metes and bounds or legal description of the proposed subdistrict boundaries. The map and description shall be prepared by the county surveyor or county assessor and shall reflect any adjustment made in the boundaries under subsection (7) of this section.

(5) The map to be contained in the petition under subsection (4) of this section shall be prepared by the county surveyor or county assessor. The chief petitioners shall pay the county for the cost of preparing the map, as

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

determined by the county surveyor or county assessor. The county clerk shall not accept the prospective petition for filing until the chief petitioners have paid the amount due.

(6) Subsection (4) of this section does not apply if the question proposes abolition of all subdistricts.

(7) If the district board determines or adjusts the boundaries of the subdistricts under ORS 478.228 before submitting the question under this section, the district board shall amend the ballot title as necessary to reflect its adjustment of the boundaries.

(8) If the electors of the district approve the creation of subdistricts, or a change in the boundaries or the number of existing subdistricts, directors then holding office shall continue to serve until their terms of office expire. As vacancies occur, positions to be filled by nomination or election by subdistrict shall be filled by persons who reside within subdistricts which are not represented on the board. If more than one subdistrict is not represented on the board when a vacancy occurs, the subdistrict entitled to elect a director shall be decided by lot. [1979 c.364 §2; 1983 c.350 §286; 1995 c.79 §290; 1995 c.534 §18]

478.228 Boundaries of subdistricts. The boundaries or proposed boundaries of election subdistricts proposed or established within a district under ORS 478.225 from which directors are to be nominated or elected shall be as nearly equal in population as is feasible according to the latest available federal census data and shall be adjusted by the board to apportion population, to follow wherever practicable existent election precinct boundaries and to reflect boundary changes of the district. The boundaries shall be determined or adjusted by the board prior to submitting the question of election subdistricts to the electors under ORS 478.225. [1979 c.364 §3; 1983 c.350 §287]

478.230 [Amended by 1953 c.369 §2; 1967 c.609 §11; 1969 c.667 §14; repealed by 1971 c.647 §149]

478.231 Election laws applicable. (1) ORS chapter 255 governs the following:

(a) The nomination and election of directors.

(b) The conduct of district elections.

(2) The electors of a district may exercise the powers of the initiative and referendum regarding a district measure, in accordance with ORS 255.135 to 255.205. [1983 c.350 §289]

478.232 [1979 c.364 §4; repealed by 1983 c.350 §331a]

478.234 Subdistricts for nomination or election of directors. (1) The question whether subdistricts should be established for the purpose of nominating or electing one or more board members may be submitted at an election called under ORS 198.866 and 198.867, or at an election on merger or consolidation called under ORS 198.903.

(2) The following provisions of ORS 478.225 (4) apply to an election on annexation, merger or consolidation when the question of establishing subdistricts is submitted at that election:

(a) The requirements applicable to the ballot title.

(b) The provision for a map of the proposed subdistrict boundaries. [1983 c.350 §286c]

478.235 [1979 c.364 §5; repealed by 1983 c.350 §331a]

478.240 Special elections; electors. (1) At any regular meeting, the district board may call a special election.

(2) In any district in which there are no electors registered in the district and the property is used for business, industrial or farming purposes and is nonresidential in character, all owners of property located within the district may vote, and the authorized officer or representative of any corporation owning land in the district may vote for the corporation landowner. [Amended by 1969 c.667 §15; 1971 c.647 §112; 1973 c.618 §2; 1983 c.83 §96; 1983 c.350 §290]

478.245 [1955 c.617 §1; repealed by 1969 c.325 §4 and 1969 c.667 §70]

478.250 Meetings and officers of board. (1) The district board shall hold meetings at such time and place within the district as it determines. It shall hold at least one regular meeting in each month on a day fixed by the board, and may hold special meetings under such rules as it may make.

(2) At the organizational meeting the board shall choose from the members a president, vice president, secretary and a treasurer. The board may choose as secretary and treasurer the same person. Officers shall hold their offices until the first regular meeting in July following or until their successors are elected and qualified. They shall have

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

the powers and perform the duties usual in such cases. In the absence of the president, the vice president or, in the absence of both, any other member of the board may preside at any meeting.

(3) The board shall transact all business pertinent to the establishment, equipment and maintenance of the district and its properties. [Amended by 1969 c.344 §7; 1969 c.345 §11; 1969 c.667 §§16,67; 1983 c.192 §1]

478.260 Fire chief; headquarters; fire evacuation routes; emergency medical services. (1) The district board shall select a fire chief qualified by actual experience as a firefighter and person who is trained in fire prevention, or otherwise, and assistants, volunteer or otherwise, and fix their compensation. The fire chief shall be responsible for the equipment and properties of the district. Under the direction of the board, the fire chief shall be responsible for the conduct of the fire department.

(2) The board, with advice and counsel of the fire chief, shall select the location of the fire house or houses or headquarters of the fire department of the district. Such sites shall be chosen with a view to the best service to the residents and properties of the whole district and may be acquired by purchase or exercise of the powers of eminent domain in the manner provided by ORS chapter 35. The board may purchase apparatus and equipment as needed by the district, and provide a water system, ponds or reservoirs for the storage of water for fire-fighting purposes. Or the board may contract with water companies or districts, or both, for water service and facilities at a rate of compensation mutually agreed upon. The board also may divide the district into zones or subdivisions and provide an adequate system or code of fire alarms or signals by telephone, bell, whistle, siren or other means of communication.

(3) A district may:

(a) Acquire real property or an easement, by purchase or other voluntary agreement, for the purpose of establishing a fire evacuation route.

(b) Construct or maintain a fire evacuation route on property:

(A) Owned by the district or over which the district has an easement for the purpose of a fire evacuation route; or

(B) Owned by a person or governmental entity or over which a person or governmental entity has an easement for the purpose of a fire evacuation route, with authorization from the person or governmental entity.

(c) Participate in an agreement related to the construction, maintenance or use of a fire evacuation route.

(4) A district may operate or acquire and operate, or contract for the operation of, emergency medical service equipment and vehicles both within and without the boundaries of the district. A district may conduct ambulance operations only in conformance with a county plan adopted under ORS 682.062 for ambulance services and ambulance service areas and with rules of the Oregon Health Authority relating to such services and service areas. Service authorized under a county plan includes authorization for a district to provide ambulance services by intergovernmental agreement with any other unit of local government designated by the plan to provide ambulance services.

(5) As used in this section, “ambulance services” has the meaning given that term in ORS 682.027. [Amended by 1953 c.369 §2; 1959 c.658 §1; 1967 c.348 §1; 1969 c.667 §17; 1973 c.192 §1; 1979 c.565 §1; 1981 c.538 §1; 1989 c.722 §1; 2009 c.595 §977; 2021 c.502 §1]

478.270 Reports of directors; State Fire Marshal cooperation; uniform forms. (1) The district board shall report monthly to the State Fire Marshal, upon forms prescribed by the State Fire Marshal, information the State Fire Marshal may require, and shall, at any time, upon request furnish further report or information required by the State Fire Marshal.

(2) The State Fire Marshal shall cooperate in the formation, operation and administration of districts. The Department of the State Fire Marshal shall prepare and make available uniform forms for reports required by this section and other uniform forms and blanks the State Fire Marshal considers advisable. [Amended by 1969 c.667 §18; 1983 c.192 §2; 2021 c.539 §137]

478.280 Employment of assistants. The board of directors may employ assistants as necessary or convenient in carrying on the work of the district and fix their compensation. The expenses of directors actually incurred in the service of the district may be paid by the board. [Amended by 1969 c.667 §19]

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.290 Additional authority of districts within 10-mile radius of city of 100,000 or more. Districts situated within a radius of 10 miles of a city of over 100,000 population may, in addition to the powers granted by ORS 478.210, 478.221 and 478.240 to 478.280, install, maintain and operate systems of street, road or highway lights. The lights shall be maintained upon the streets, roads or intersections as the board considers is needed to furnish the best lighting service to the residents and properties in the district. [Amended by 1969 c.667 §20]

478.300 Contracting with others to provide facilities and services for fire protection or road lighting; authority over open burning and fire permits; rules. (1) In addition to the authority to enter into intergovernmental agreements under ORS chapter 190, a rural fire protection district or other public body as defined in ORS 174.109 may contract with any person for the purpose of affording firefighting, protection or prevention facilities or road-lighting facilities and services, or both, to such person.

(2) When any agreement or contract is entered into pursuant to ORS chapter 190 or subsection (1) of this section to provide fire protection service, the rural fire protection district or other public body providing such service shall have authority over open burning and the issuance of fire permits in the area served, and may in accordance with this chapter make reasonable rules and regulations relating thereto. [Amended by 1965 c.602 §27; 1969 c.667 §21; 2003 c.802 §126]

478.305 Contracting with others for mutual communication system; contracts in other states. (1) Any district may contract with other rural fire protection districts or cities operating a fire department for the establishment and maintenance of a mutual communication system for fire prevention and protection and may, in cooperation with the other contracting party or parties, provide for a joint board of control composed of representatives of the contracting parties, to control the operations of such communication system.

(2) Any district any portion of whose boundary coincides with the boundary of this state may contract with any public agency of, or person in, an adjoining state for the purpose of receiving or furnishing fire protection or for the purpose of water supply for firefighting. [1955 c.579 §1; 1969 c.667 §22]

478.308 Contracting with others for regional oil and hazardous material emergency response team. (1) Any district may contract with another rural fire protection district, city or county to establish, operate and maintain a regional oil and hazardous material emergency response team. The contracting parties may provide for a joint board of control, composed of representatives of the contracting parties, to control the operation of the regional emergency response team.

(2) A rural fire protection district may receive a grant under section 42, chapter 539, Oregon Laws 1987.

(3) Any district whose boundary coincides with the boundary of this state may contract with a public agency or person in an adjoining state for the purpose of responding to spills or releases of oil and hazardous material.

(4) As used in this section, “hazardous material,” “oil,” “person” and “spill or release” have the meaning established in ORS 466.605. [1987 c.539 §44]

478.310 Response to fire or public safety incident outside its own territory by district or municipality; liability for costs. (1) When a fire or public safety incident occurs outside the limits of a district or of a city and help is asked of the district or city, the fire-fighting or public safety apparatus and force of the district or city may, with or without a contract to do so, be used for extinguishing the fire or responding to the public safety incident in the other unprotected or inadequately protected district or territory. However, the district or city so responding shall be paid the contract or reasonable value for use, including repairs and depreciation, of the apparatus and equipment so used and other expenses reasonably incurred in furnishing the fire-fighting or public safety service.

(2) When a district or city responds to a call for assistance arising from an incident involving an airplane crash or an occurrence on a transportation route within the city or district, the district or city may recover from the person or property receiving the direct fire or safety services as a result of the incident any cost incurred for the following:

(a) The contract or reasonable value of the use, including repairs and depreciation, of the apparatus and equipment used in accordance with a state standardized-costs schedule issued by the State Fire Marshal; and

(b) Other expenses or costs reasonably incurred in furnishing the assistance, as adopted by the service provider.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(3) As used in this section, “transportation route” means a roadway, waterway or railroad right of way against which no taxes or assessments for fire protection are levied by the district or city.

(4) The provisions of this section do not apply to fire incidents involving only forest resources that occur on lands protected under ORS chapter 477. [Amended by 1969 c.667 §23; 1983 c.572 §1; 1987 c.834 §2; 1997 c.274 §38]

478.315 Response to fire or public safety incident in Columbia River Gorge National Scenic Area; payment of costs. (1) When a district is located entirely or partly within the boundaries of the Columbia River Gorge National Scenic Area established under 16 U.S.C. 544 et seq., if a fire or other public safety incident occurs on state property within the limits of the district and assistance from the district is requested, the fire-fighting and emergency medical vehicles, apparatus and personnel of the district may, with or without a contract to do so, be used for extinguishing the fire or responding to the public safety incident. The district so responding shall recover from the state agency in possession or control of the property:

(a) The amount due under a contract with the state agency for the services provided by the district; or

(b) If there is no contract, the actual costs incurred by the district in extinguishing the fire or responding to the public safety incident.

(2) When vehicles, apparatus and personnel are used under subsection (1) of this section, the state agency requesting assistance shall be liable and shall pay the amount due under the contract, if any, or the actual costs incurred by the district. A claim for such costs shall not be allowed unless, within 60 days after the costs have been incurred, an itemized statement of the actual costs, certified under oath by the treasurer of the district, and a demand for payment are served by mail or personal service upon the state agency. Such costs shall be payable from moneys made available to the state agency for such purpose.

(3) If any such costs are not paid within 90 days after the itemized statement of actual costs and demand for payment are received by the state agency, the district may bring an action against the state agency for the recovery of such unpaid costs.

(4) As used in this section, “state property” means any public land or other real property controlled by any agency of the State of Oregon and against which no taxes or assessments for fire protection are levied by a district.

(5) The provisions of this section do not apply to fire incidents involving only forest resources that occur on lands protected under ORS chapter 477. [1989 c.395 §2; 1997 c.274 §39]

BENEFITS FOR DISTRICT EMPLOYEES

478.325 District may levy taxes for purposes of ORS 478.335 to 478.370. Expenses incurred by a district in establishing programs or providing benefits authorized by ORS 478.335 to 478.370 are expenses for which a district may levy taxes as provided by ORS 478.410. [1963 c.366 §8]

478.335 Contracts for medical and hospital services or insurance. (1) A district board may enter into contracts for medical and hospital services or insurance covering employees of the district for remedial care and hospital benefits. Failure to obtain insurance or service contracts shall not be construed as negligence or lack of diligence on the part of the board or the members thereof.

(2) As used in this section “remedial care” includes services rendered by a person licensed to practice one or more of the healing arts within the scope of the license of the person or any other remedial care recognized under the law of this state. [1963 c.366 §1; 1969 c.667 §24]

478.340 Payment of premiums or charges on contracts; employee contributions; multiple contracts. (1) The district may agree to pay none, part or all of the premiums or charges on insurance or service contracts, and it may collect from the salary of any employee covered by the contract the percentage of the premiums or charges the employee is required to provide pursuant to the contract. Contributions for premiums or charges by employees shall be only on a voluntary basis.

(2) The board may negotiate more than one contract with one or more companies or associations if necessary to obtain optimum coverage at minimum cost.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(3) No premium or other periodic charge on any insurance or service contract shall be paid unless the insurer or hospital association issuing such policy or contract is authorized to transact business as an insurance company or hospital association in this state. [1963 c.366 §2]

478.355 Establishment of employee retirement system; provisions of plan. (1) A district may establish an employees' retirement system pursuant to ORS 478.355 to 478.370. The board may enter into agreements necessary to establish the system and carry out the plan and may agree to modifications of such agreements from time to time.

(2) The retirement plan may provide for retirement benefits measured on the basis of services rendered or to be rendered by an employee, either before or after the date on which such employee first becomes a member of the retirement plan. The retirement plan may provide for a minimum of years of service and a minimum and maximum age of retirement for the employee. [1963 c.366 §§3,4; 1969 c.667 §25]

478.360 Fund to provide retirement benefits. The district may budget and provide for payment into the fund of the retirement plan an amount sufficient:

(1) To provide, on an actuarial reserve basis, the amortized level premium cost of the retirement benefits which, under the provision of the retirement system, are to be provided by the district to its employees who attain the retirement age or retire in accordance with the terms of the retirement plan.

(2) To meet the actuarially computed costs of retirement benefits measured on the basis of services rendered or to be rendered by an employee before or after the date on which such employee becomes a member of the retirement plan. [1963 c.366 §6]

478.365 Employee contributions to retirement fund. The district may collect, as a contribution from any employee, that percentage of the salary received by the employee which is necessary to fund on an actuarial reserve basis the cost of retirement benefits which the employee is required to provide pursuant to the provisions of a retirement plan. [1963 c.366 §5]

478.370 Retirement benefits not to be funded for individual not employee of district when membership in system created. Nothing in ORS 478.325 and 478.355 to 478.370 authorizes the district to budget, provide for payments or collect contributions to fund retirement benefits for an individual who is not in the employment of the district at the time of the creation of a membership status under a retirement plan. [1963 c.366 §7]

BENEFITS FOR DISTRICT VOLUNTEERS

478.390 Investments authorized to fund length of service awards for volunteer firefighters. In addition to the investments authorized by ORS 294.035, the board of directors of a rural fire protection district organized under ORS chapter 478 may invest or cause to be invested any surplus funds of the district in contracts described in ORS 294.035 (3)(f) for the purpose of funding length of service awards for the volunteer firefighters of the district. [1993 c.452 §2; 1995 c.245 §13; 2005 c.443 §30]

Note: 478.390 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 478 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

REVENUES AND FINANCES

(Generally)

478.410 Power of district to levy taxes, borrow money, sell bonds and create fees. (1) To provide funds for defraying expenses for the establishment, equipment and maintenance of the district, the district board may provide for a tax on the assessed value of all taxable property within the district.

(2) To carry into effect any of the powers granted to the district, the district, when authorized by a majority of the voters voting at an election called for that purpose, may borrow money and sell and dispose of general obligation bonds. The total outstanding general obligation bonds, together with liabilities outstanding incurred under rental or lease-purchase agreements authorized by subsection (3) of this section, may not exceed one and one-fourth percent

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(0.0125) of the real market value of all taxable property within the district, computed in accordance with ORS 308.207.

(3) The district board may enter into rental or lease-purchase agreements to rent, lease or acquire real or personal property, or both, required for fire-protection purposes. Except for agreements to rent, lease or acquire real property, an agreement may not run for more than 10 years or be subject to renewal. The aggregate principal obligations under the agreements, and under other like agreements, with outstanding bonded indebtedness, may not exceed the limitation imposed by subsection (2) of this section. ORS 294.305 to 294.565 do not affect or restrict the right of any district to enter into an agreement described in this subsection.

(4) Unless expressly prohibited by the documents creating the district, a district board may adopt an ordinance as provided under ORS 198.510 to 198.600 to create a fee for any service provided by the district. A fee created under authority of this section may not exceed the cost to the district of providing the service. The fee authority granted to a board by this subsection is in addition to any authority granted to a board under local law or by the documents creating the district. Notwithstanding ORS 198.600, the failure to pay a fee created under authority of this section is not a violation punishable under ORS 198.600. [Amended by 1959 c.520 §1; 1963 c.9 §30; 1967 c.235 §1; 1969 c.667 §26; 1975 c.467 §1; 1981 c.804 §108; 1983 c.192 §3; 1991 c.459 §418; 2005 c.620 §1; 2017 c.26 §9]

478.420 Sale of bonds. Bonds authorized under ORS 478.410 shall be issued and sold in the manner prescribed in ORS chapter 287A. The bonds shall be so conditioned that the district agrees to pay, at the place named, to the bearer the sum named in lawful money of the United States with interest at the rate named, payable semiannually each year in accordance with the terms of interest coupons attached. [Amended by 1969 c.667 §27; 1969 c.694 §18; 1971 c.36 §7; 1975 c.642 §25; 1977 c.188 §6; 2001 c.215 §12; 2007 c.783 §208]

478.430 Ad valorem tax. A district board shall ascertain and levy annually, in addition to all other taxes, an ad valorem tax on all the taxable property in the district, sufficient to pay the interest accruing and the principal maturing on the bonds promptly as they become due. [Amended by 1969 c.667 §28; 1969 c.694 §19; 1971 c.36 §8; 2001 c.215 §13]

478.440 Gifts; sinking fund. The district may receive from any source whatever, gifts, donations, bequests, money or property for any purpose consistent with the terms of this chapter. The district may, from time to time, provide from its current revenue or create or set up sinking funds to be applied to authorized expenditures contemplated to be made beyond the current tax year. [Amended by 1983 c.740 §190]

478.450 Tax for road lighting; method. To provide funds for defraying expenses for the installation, maintenance and operation of the road-lighting service to the district, the district board may provide for a tax not exceeding one-tenth of one percent (0.001) of the real market value of all taxable property within the district, computed in accordance with ORS 308.207. Upon approval of the majority of the electors voting at a special election called for such purpose the board may levy a special tax of not to exceed one-fourth of one percent (0.0025) of the real market value of all taxable property within the district for this purpose, computed in accordance with ORS 308.207. [Amended by 1967 c.293 §33; 1969 c.667 §29; 1991 c.459 §419]

478.460 Deposit and disbursement of funds. Funds collected on behalf of the district through the levy of taxes, all donations, contributions, bequests or annuities and all borrowed moneys received by or on behalf of the district shall be deposited in accordance with ORS 295.001 to 295.108 and as designated by the board. Funds shall be drawn out only upon proper order and warrant or check, bearing the signature of those persons authorized to sign warrants or checks by resolution of the board. [Amended by 1965 c.540 §1; 1969 c.667 §30; 1969 c.694 §20; 1971 c.36 §9; 1987 c.834 §3; 2001 c.215 §14; 2019 c.587 §42]

478.470 Interest on unpaid warrants; limitation on amount of warrants. All warrants for the payment of any indebtedness of a district which are unpaid for want of funds shall bear interest at a rate to be fixed by the district board but not to exceed six percent per annum from the date of the registering of the unpaid warrants with the county treasurer. The amount of warrants outstanding shall not exceed the revenue provided for the year in which the indebtedness was incurred. [Amended by 1969 c.667 §31]

(Tax Zones)

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.480 Formation of tax zones; basis for zones; public hearing. (1) A district board may divide its district into zones for the purpose of imposing and levying ad valorem taxes at different rates on the assessed value of all taxable property in each zone. The establishment of zones within a district under this section shall be based upon differences in the services provided by the district to the residents and their property in each zone.

(2) When a district board decides to divide the district into zones under subsection (1) of this section, it shall conduct a public hearing on the formation of the proposed zones. The hearing shall be held after notice to the public is published as provided in ORS 478.485. The notice shall set forth the date, hour and place of the hearing and the information required under ORS 478.485. The notice shall state that all interested persons may attend and shall be given a reasonable opportunity to be heard. [1983 c.569 §§2,3]

478.485 Notice of public hearing. (1) The district board shall cause a notice of a public hearing relating to the formation of zones under ORS 478.480 (1) to be published once a week for two successive weeks in the newspaper in general circulation in the district which, in the judgment of the district board, will afford the best notice to the residents of the district.

(2) The notice published under this section shall set forth:

(a) The resolve of the district board to divide the district into zones.

(b) The boundaries of the proposed zones.

(c) The percentage of the total amount of ad valorem taxes of the district that will be collected in each zone.

[1983 c.569 §4]

478.490 Election on question of dividing district into tax zones; order creating zones; effect. (1) After the public hearing required under ORS 478.480 (2), if the district board decides to proceed with the proposal, it shall submit the question of dividing the district into zones to the voters of the district at the next regular district election on the date specified in ORS 255.335 (1).

(2) If a majority of the voters of the district voting upon the question vote in favor of dividing the district into zones, the district board shall enter an order in its journal declaring that fact. The order shall be conclusive as to the regularity of all proceedings in reference to the election and to the existence of the zones. [1983 c.569 §5]

478.495 Limitation on changes in tax zone boundaries. (1) When a proposal for dividing a district into zones is approved by the voters of a district, a proposal for changing the boundaries of the zones shall not be submitted to the voters at the regular district election next following such approval, but may be submitted at any regular district election thereafter.

(2) Following approval of the formation of zones within a district by the voters of the district, the boundaries of the zones shall not be changed by the district board unless notice of that change is given to, and approved by, the voters of the district as provided in ORS 478.480 (2), 478.485 and 478.490. [1983 c.569 §6]

478.500 Determination of tax levy in each tax zone. If a district is divided into zones under ORS 478.480 (1), the district board shall determine, make and declare the ad valorem tax levy for each zone when the district board adopts its budget for any fiscal year. The determination of the amount of ad valorem taxes to be levied in each zone shall be in accordance with the proposal approved by the voters under ORS 478.490 and shall be entered in the proper records of the district board. [1983 c.569 §7]

478.505 Petition for tax zones by district electors; number of signatures required; public hearing. (1) The electors of a district may initiate proceedings to divide the district into zones under ORS 478.155 and 478.480 to 478.500 by filing a petition with the district board. The petition shall state the name of the district and contain a request that the district board divide the district into zones consisting of areas zoned for exclusive farm use, areas within urban growth boundaries and all other areas.

(2) A petition filed under this section shall be signed by not less than 10 percent of the electors of the district.

(3) When the district board receives a petition filed under this section, the district board shall hold a public hearing on the formation of the proposed zones, and provide notice thereof, as required by ORS 478.480 (2) and 478.485. [1993 c.424 §13]

478.510 [Amended by 1969 c.667 §32; repealed by 1971 c.727 §203]

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.520 [Amended by 1969 c.667 §33; repealed by 1971 c.727 §203]

478.530 [Amended by 1969 c.667 §34; repealed by 1971 c.647 §149 and by 1971 c.727 §203]

478.540 [Amended by 1969 c.694 §21; repealed by 1971 c.727 §203]

478.550 [Repealed by 1969 c.667 §70]

478.555 [1969 c.694 §23; repealed by 1971 c.727 §203]

(Multicounty Districts)

478.560 Deposit and disbursement of funds of districts located in two or more counties. Funds accruing to a district, located in two or more counties, from any source shall be deposited in accordance with ORS 295.001 to 295.108 and shall be drawn out only upon proper order and warrant or check bearing the signature of those persons authorized to sign warrants or checks by resolution of the board. [Amended by 1965 c.540 §2; 1969 c.667 §35; 1969 c.694 §24; 1971 c.36 §10; 1971 c.727 §141; 1983 c.185 §1; 1987 c.834 §4; 2001 c.215 §15; 2019 c.587 §43]

478.610 [Amended by 1959 c.658 §2; 1963 c.299 §3; 1967 c.610 §1; 1969 c.79 §4; 1969 c.667 §36; repealed by 1971 c.727 §203]

478.614 [1953 c.165 §1; 1961 c.682 §1; 1969 c.667 §37; repealed by 1971 c.727 §203]

478.616 [1953 c.165 §2; 1969 c.667 §38; repealed by 1971 c.727 §203]

478.618 [1969 c.79 §6; 1969 c.667 §68; repealed by 1971 c.727 §203]

478.620 [Amended by 1969 c.667 §39; repealed by 1971 c.727 §203]

478.630 [Amended by 1969 c.667 §40; repealed by 1971 c.727 §203]

478.640 [Amended by 1969 c.667 §41; repealed by 1971 c.727 §203]

478.650 [Amended by 1969 c.667 §42; repealed by 1971 c.727 §203]

478.660 [Amended by 1969 c.667 §43; repealed by 1971 c.727 §203]

CHANGES TO DISTRICT

478.665 Withdrawal of territory from district; inclusion in forest protection district; assessment. In addition to any other method of initiating proceedings to withdraw territory from a district, the county board may, after appropriate proceedings, order the withdrawal of forestland from a district if:

(1) Written request for the withdrawal is submitted to the county board by the district board;

(2) Inclusion of the withdrawn forestland within a forest protection district under ORS 477.205 to 477.281 is agreed to by the State Forester;

(3) A public hearing for the landowners concerned is held regarding the withdrawal by the county board; and

(4) Any lands so withdrawn and transferred to a forest protection district for purposes of fire protection shall be assessed for this purpose under ORS chapter 477 and, except as provided by ORS 198.880, shall no longer be assessed for fire protection by the rural fire protection district. [1969 c.651 §2; 1971 c.727 §142]

478.700 [1965 c.316 §2; 1969 c.667 §44; repealed by 1971 c.727 §203]

478.702 Annexing lands to district. (1) As used in this section:

(a) “Annex” means to add lands to a district.

(b) “Coverage area” means an area established by a district pursuant to this section that consists of the following:

(A) Lands that are included in the district; and

(B) Some or all of the lands that are within seven road miles of a fire station in the district and are not included in any other district.

(c) “Fire station” means a fire station recognized by a fire insurance rating organization as a fire station that is equipped and has personnel who respond to calls.

(d) “Road” means any public or private thoroughfare that may be used for vehicular traffic.

(2) A district may establish the coverage area of the district one or more times, subject to the requirements of subsection (3) of this section.

(3)(a) If a district intends to establish a coverage area that includes lands that are within seven road miles of a fire station in any other district:

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(A) Before establishing the coverage area, the district intending to include the lands must send notice to the other district or districts.

(B) The notified district or districts must:

(i) Reply not more than 90 days after the notice described in subparagraph (A) of this paragraph is sent; and

(ii) State whether the notified district or districts intend to include the lands in the coverage area or areas of the notified district or districts.

(b) If the district that provided notice under paragraph (a)(A) of this subsection does not receive a reply or replies within 90 days, as described in paragraph (a)(B) of this subsection, or receives a reply or replies within 90 days indicating that the notified district or districts do not intend to include the lands, the district that provided the notice may include the lands.

(c) If the district that provided notice under paragraph (a)(A) of this subsection receives a reply or replies within 90 days, as described in paragraph (a)(B) of this subsection, that states that the other district or districts also intend to include the lands, the districts shall all:

(A) Negotiate in good faith to determine which district will include the lands; and

(B) Attempt to reach a resolution not more than 90 days after the reply, or after the latest multiple replies, described in paragraph (a)(B) of this subsection is sent.

(d) If districts do not reach a resolution described in paragraph (c) of this subsection within 90 days after the reply, or after the latest of multiple replies, described in paragraph (a)(B) of this subsection is sent, the district in which the fire station that is closest to the lands is located shall include the lands.

(4) If a district establishes the coverage area of the district, after any applicable requirements in subsection (3) of this section are met, the district shall send notice to any owners of lands within the coverage area that are not included in a district that:

(a) Within 90 days after the notice is sent, the owners may consent to add the lands of the owners to the district as described in ORS 478.140 at no cost for adding the lands; and

(b) After sending the notice and before consent from the owners is received, or more than 90 days after sending the notice if the district does not receive consent from the owners as described in paragraph (a) of this subsection within the 90 days, the district may decide not to protect the owners' lands and, if the district provides services at the lands, may bill the owners at three times the cost of the services, as determined based on a state standardized-costs schedule approved by the State Fire Marshal.

(5) Notwithstanding any contrary provision of law:

(a) A district or county may not charge a fee for adding lands to a district under subsection (4) of this section, including a fee for filing paperwork related to adding the lands.

(b) A person or a public body, as defined in ORS 174.109, may not bring an action against a district for declining to protect the lands of owners that do not consent to add the lands of the owners to the district under subsection (4) of this section.

(6)(a) If a district bills an owner as described in subsection (4)(b) of this section and the owner does not pay the bill within 60 days, the district may secure payment of the claim by filing an itemized and sworn statement, setting forth the dates of performance and the nature of the services performed, with the county clerk of the county in which the services were rendered.

(b) The claim shall constitute a valid lien against the interest of the owner that may be established and enforced in the same manner as provided by law for the enforcement of mechanic's liens.

(c) The county may not charge a fee related to the claim, including a fee related to filing or processing the claim.

(7) A person that insures lands within the coverage area of a district:

(a) Shall confirm with the district whether the lands are included in the district.

(b) May not provide an insurance discount if the lands are not included in the district.



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(8) If a district identifies the coverage area of the district, subject to the provisions of ORS 478.010, the board of directors of the district shall annex to the district any lands that are within the coverage area of the district, but are not included in the district, when:

- (a) Ownership of the lands transfers;
- (b) A new structure subject to damage by fire is built on the lands;
- (c) A building permit that relates to the lands is issued; or
- (d) A land use decision, as defined in ORS 197.015, a limited land use decision, as defined in ORS 197.015, or a decision concerning a partition, as defined in ORS 92.010, or a subdivision, as defined in ORS 92.010, that relates to the lands is approved or issued.

(9) A person that owns lands within a coverage area of the district that are not included in the district shall:

(a) Send notice to the county if an event described in subsection (8) of this section occurs, unless documentation of the event is otherwise filed with the county; and

(b) Ensure that any information in documentation or a notice that relates to the lands and is provided to the county is accurate.

(10) If a county receives notice of, receives documentation of or otherwise becomes aware of the occurrence of an event described in subsection (8) of this section on lands in a coverage area of the district, the county shall send notice to the board of directors of the district that the event has occurred.

(11) After the board of directors receives notice from a county as described in subsection (10) of this section or otherwise becomes aware that an event described in subsection (8) of this section has occurred, if the board of directors confirms that the lands are in the coverage area of the district, the board of directors shall annex the lands and, upon annexing the lands, shall:

(a) Issue an order of annexation of the lands that includes an attestation that an event described in subsection (8) of this section has occurred;

(b) File duplicate copies of the order with the Department of Revenue, the Secretary of State and the county clerk and county assessor of each county in which the district is located;

(c) File a legal description of the change or proposed change and an accurate map showing the change or proposed change, as described in ORS 308.225; and

(d) Take the steps necessary to ensure that the lands are added to the assessment roll for the tax year beginning July 1 following the calendar year in which the lands are annexed.

(12) If a board of directors files a legal description and map consistent with ORS 308.225, the county assessor and the department shall act in accordance with ORS 308.225.

(13) The provisions of ORS 198.705 to 198.955, 478.115 and 478.150 do not apply to an annexation under this section.

(14) Notwithstanding any contrary provision of law, an annexation under this section is not subject to an election.

(15) Notwithstanding subsection (13) of this section, an annexation or other addition of lands under this section has the effects described in ORS 198.860.

(16) Lands annexed or otherwise added under this section may be subject to tax assessment by the district as described in this chapter and a fee described in ORS 478.410.

(17) Upon request by a district, to help the district act as described in this section, a county shall provide information possessed by the county to the district, including mailing addresses the district might need to send notice under subsection (4) of this section or a legal description or map described in subsection (11)(c) of this section. [2023 c.208 §2]

478.710 [Amended by 1969 c.667 §45; repealed by 1971 c.727 §203]

478.720 [Amended by 1969 c.667 §46; repealed by 1971 c.727 §203]

478.730 [Amended by 1969 c.667 §47; repealed by 1971 c.727 §203]

478.740 [Amended by 1969 c.667 §48; repealed by 1971 c.727 §203]

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.750 [Amended by 1965 c.316 §4; 1969 c.667 §49; repealed by 1971 c.727 §203]

478.760 [1965 c.316 §3; 1969 c.667 §50; repealed by 2003 c.46 §54]

478.810 [Amended by 1969 c.667 §51; repealed by 1971 c.727 §203]

478.820 [Amended by 1969 c.667 §52; repealed by 1971 c.727 §203]

478.830 [Amended by 1969 c.667 §53; repealed by 1971 c.727 §203]

FIRE SAFETY SYSTEMS

478.840 Definitions for ORS 478.845 to 478.875. As used in ORS 478.845 to 478.875:

(1) “District” means a rural fire protection district organized under ORS chapter 478.

(2) “Fire safety system” means any device or system that protects structures or people from damage, injury or destruction by fire or that minimizes the effects of fire. The term includes automatic fire sprinkler systems. [1995 c.725 §1]

Note: 478.840 to 478.875 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 478 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

478.845 Revenue bonds authorized for fire safety systems. (1) Notwithstanding any other provision of law or any restriction on indebtedness contained in a charter, a city or district may issue and sell revenue bonds under ORS 478.845 to 478.875, loan moneys to qualified persons for the installation of fire safety systems and enter into loan contracts with those persons. Moneys borrowed from the loan fund created by ORS 478.855 shall be repaid by the borrowers in accordance with the terms of the loan contract to which the borrower and the city or district are parties.

(2) In addition to authority granted by other laws to issue revenue bonds, a city or district may sell revenue bonds for the purpose of creating a loan fund to finance the installation of fire safety systems in structures located within the city or district.

(3) Revenue bonds authorized by this section may be issued from time to time and shall be issued as prescribed in ORS chapter 287A. [1995 c.725 §2; 2007 c.783 §209]

Note: See note under 478.840.

478.850 Sources of bond payment restricted. (1) Revenue bonds issued under ORS 478.845 to 478.875:

(a) Shall not be payable from nor charged upon any fund other than the revenue pledged to the payment of the revenue bonds.

(b) Shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the city or district, except those moneys paid to the loan fund created by ORS 478.855.

(2) No holder of such revenue bonds shall ever have the right to compel any exercise of the taxing power of a city or district to pay the bonds or the interest on the bonds, or to enforce payment of the bonds against any property of the city or district except those moneys pledged in the loan fund created under ORS 478.855.

(3) A revenue bond issued under ORS 478.845 to 478.875 shall not constitute a debt of the city or district within the meaning of any statutory limitation. [1995 c.725 §4; 2007 c.783 §210]

Note: See note under 478.840.

478.855 Loan fund created from bond proceeds; other sources for fund. (1) Proceeds of revenue bonds issued and sold under ORS 478.845 to 478.875 that are to be used to fund loans to persons for acquisition and installation of fire safety systems in structures owned by the borrowers shall be deposited in a loan fund created for the purpose by a city or district.

(2) In addition to proceeds from the sale of revenue bonds, the loan fund created by this section shall consist of:

(a) Moneys repaid to the fund by borrowers who received loans from the fund.

(b) Proceeds of the sales of structures acquired by the city or district as a result of loan defaults.

(c) Other revenues, as defined in ORS 287A.001, as determined by the city or district. [1995 c.725 §7; 2007 c.783 §211]

Note: See note under 478.840.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

478.860 Standards for eligibility for loans for fire safety systems. (1) The governing body of a city or district shall adopt standards to determine the eligibility of borrowers to borrow money from the loan fund established under ORS 478.855 for the purpose of acquiring and installing a fire safety system in a privately owned structure owned by the borrower.

(2) The governing body of a city or district shall also adopt a list of fire safety systems that may be financed with loans made under ORS 478.845 to 478.875. [1995 c.725 §3]

Note: See note under 478.840.

478.865 Loan contract; repayment plan; terms and conditions. (1) Any loan contract providing for a loan of moneys to a borrower by a city or district shall include a plan for repayment by the borrower of moneys borrowed plus interest. The repayment plan:

(a) Shall provide that the city or district obtain a lien on the structure in which a fire safety system is installed. Except for tax liens, the lien acquired by the city or district shall have priority over all other liens on the structure.

(b) Shall provide for such other assurance of, and security for, repayment by the borrower as is considered necessary by the city or district.

(c) Shall set forth the interest rate on the loan as reasonably determined by the city or district.

(d) Shall provide for repayment during a period that shall be the lesser of the useful life of the proposed fire safety system or the term of the bond as determined by the city or district.

(2) A loan contract under subsection (1) of this section may provide that the amount of repayment by a borrower include an amount sufficient to reimburse the city or district for the borrower's allocable share of the costs of issuing revenue bonds under ORS 478.845 to 478.875 to finance the loan contract, all administrative expenses relating to the loan contract and such amounts as may be established by the city or district to maintain a reserve in the loan fund created under ORS 478.855 to pay or reimburse future losses directly related to the loans financed with moneys from the loan fund. [1995 c.725 §5]

Note: See note under 478.840.

478.870 Powers granted to enforce loan contracts and secure payment of bonds; reserve fund. In addition to any other powers granted by law, a city or district may:

(1) Make all contracts, execute all instruments and do all things necessary or convenient for the exercise of the powers granted by ORS 478.845 to 478.875, or for the performance of its covenants or duties, or in order to secure the payment of its bonds;

(2) Enter into and perform such contracts and agreements with borrowers as the city or district considers proper and feasible for or concerning the financing and installation of fire safety systems;

(3) Enter into covenants for the benefit of bond owners regarding the use and expenditure of moneys in the loan fund created by ORS 478.855; and

(4) Establish a reserve fund or account for the benefit of bond owners and provide that the reserve fund or account may be funded with bond proceeds, from moneys held in the general fund, an enterprise fund or other fund of the city or district or from such other revenues or sources as the governing body of the city or district may determine. [1995 c.725 §6]

Note: See note under 478.840.

478.875 Remedies for breach of loan contract. If a borrower fails to comply with a contract entered into under ORS 478.865, the city or district may seek appropriate legal remedies to secure any repayment due the loan fund created by ORS 478.855. [1995 c.725 §8]

Note: See note under 478.840.

478.880 Legislative findings. The Legislative Assembly finds and declares that:

(1) The best interest of the state is served by providing financial incentives for the installation of fire safety systems in multifamily housing.

(2) The design and nature of multifamily housing creates a higher fire risk than the risk to single family housing and exposes tenants to fire risks that are not within the control of the tenants.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(3) The presence of fire safety systems helps to defray costs for fire district equipment and equipment maintenance.

(4) Although the state building code allows local jurisdictions to require the installation of fire safety systems in new construction on a cost-neutral basis, there is no equivalent program for retrofitting or remodeling existing multifamily structures.

(5) A fire safety incentive program serves the purpose of providing financial incentive for the installation of fire safety systems in existing multifamily housing. [2001 c.614 §1]

Note: 478.880 and 478.885 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 478 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

478.885 Payment or repayment for cost of fire safety system installation in multifamily housing. (1) As used in this section:

(a) “District” means a rural fire protection district organized pursuant to ORS chapter 478.

(b) “Fire safety system” means a device or series of devices that protects structures from damage or destruction by fire, protects people from injury by fire or minimizes the effects of fire. “Fire safety system” includes, but is not limited to, automatic fire sprinkler systems.

(c) “Multifamily housing” means a structure established primarily to provide residential spaces and that provides more than one living unit. “Multifamily housing” does not include nursing homes, adult foster homes, hospitals, motels or hotels, dormitories or state institutions.

(d) “Owner” includes a purchaser under a recorded instrument of sale.

(2) A district may, by ordinance, establish a program that pays or repays to landlords part of the costs of installing fire safety systems in multifamily housing existing within the district on the effective date of the ordinance. Except as provided in this subsection, the district may establish the parameters of the program. A payment or repayment rate under the program may not exceed 50 percent of the cost of installing the fire safety system. The payment or repayment amount available for a property may not exceed the total amount paid during the preceding 10 years for all property taxes on the property, less any payment or repayment amount already provided for fire safety system installation on the property. The program must provide for the owner of the multifamily housing to apply on a form approved by the district. The program must include a uniform process for the evaluation of an application submitted by the owner of the multifamily housing. The uniform process must provide for a public hearing to determine whether the property qualifies for payment or repayment by the district. [2001 c.614 §2]

Note: See note under 478.880.

FIRE PREVENTION CODE; FIRE PERMITS

478.910 Adoption of fire prevention code. A district board may, in accordance with ORS 198.510 to 198.600, adopt a fire prevention code. [Amended by 1969 c.667 §54; 1971 c.268 §19]

478.920 Scope of fire prevention code. The fire prevention code may provide reasonable regulations relating to:

(1) Prevention and suppression of fires.

(2) Mobile fire apparatus means of approach to buildings and structures.

(3) Providing fire-fighting water supplies and fire detection and suppression apparatus adequate for the protection of buildings and structures.

(4) Storage and use of combustibles and explosives.

(5) Construction, maintenance and regulation of fire escapes.

(6) Means and adequacy of exit in case of fires and the regulation and maintenance of fire and life safety features in factories, asylums, hospitals, churches, schools, halls, theaters, amphitheaters, all buildings, except private residences, which are occupied for sleeping purposes, and all other places where large numbers of persons work, live or congregate from time to time for any purpose.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(7) Requiring the issuance of permits by the fire chief of the district before burning trash or waste materials.

(8) Providing for the inspection of premises by officers designated by the board of directors, and requiring the removal of fire hazards found on premises at such inspections. [Amended by 1969 c.667 §55; 1977 c.292 §1]

478.924 Approval of code by city or county required. The provisions of a fire prevention code adopted by a district after October 4, 1977, shall not apply within any city or county within the district unless the governing body of the city or county approves the fire code by resolution. [1977 c.292 §5]

478.927 Building permit review for fire prevention code. A district adopting a fire prevention code shall provide plan review at the agency of the city or county responsible for the issuance of building permits for the orderly administration of that portion of the fire prevention code that requires approval prior to the issuance of building permits. [1977 c.292 §4]

478.930 Violation of code; failure to remove hazards; burning waste without permit prohibited. When a district has adopted a fire prevention code as provided in ORS 478.910:

(1) No person shall violate the provisions of the code or fail to remove hazards found on inspection within the time set by the inspecting officer, after written notice to either the owner or occupant of the premises.

(2) No person shall burn waste materials or trash in an unguarded manner without a permit, when a permit is required by the district code or this chapter. [Amended by 1969 c.667 §56]

478.940 Filing and posting of fire prevention code. Copies of the fire prevention code shall be filed with the Department of the State Fire Marshal and a copy shall be posted at each fire station within the district. [Amended by 2021 c.539 §138]

478.960 Burning of certain materials permitted only with permission of fire chief; damage or injury; burning schedules and restrictions. (1) No one, within the boundaries of a district, shall cause or permit to be initiated or maintained on one's own property, or cause to be initiated or maintained on the property of another, any open burning of commercial waste, demolition material, domestic waste, industrial waste, land clearing debris or field burning without first securing permission from the fire chief of the district and complying with the direction of the fire chief. A deputy of a fire chief has the power to perform any act or duty of the fire chief under this section.

(2) The fire chief shall prescribe conditions upon which permission is granted and which are necessary to be observed in setting the fire and preventing it from spreading and endangering life or property or endangering the air resources of this state. The Environmental Quality Commission shall notify the State Fire Marshal of the type of and time for burning to be allowed on each day under schedules adopted pursuant to ORS 468A.570 and ORS 468A.595. The State Fire Marshal shall cause all fire chiefs and their deputies in the affected area to be notified of the type and time for burning to be allowed on each day with updating messages each day as required. A fire chief or deputy shall grant permission only in accordance with the schedule of the Environmental Quality Commission but may reduce hours to be allowed for burning if necessary to prevent danger to life or property from fire. The State Fire Marshal may refuse, revoke or postpone permission when necessary in the judgment of the State Fire Marshal to prevent danger to life or property from fire, notwithstanding any determination by the fire chief.

(3) Nothing in this section relieves a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury constitutes prima facie evidence that the burning was not safe.

(4) Within a district, no person shall, during the fire season declared under ORS 477.505, operate any equipment in forest harvesting or agricultural operations powered by an internal combustion engine on or within one-eighth of one mile of forestland unless each piece of equipment is provided with a fire extinguisher of sufficient size and capacity and with such other tools and fire-fighting equipment as may be reasonably required by the fire chief of the district. The provisions of this subsection do not apply to machinery regulated by ORS chapter 477.

(5) No person shall dispose of any building or building wreckage within a district by fire without having first secured permission therefor from the fire chief. No person shall refuse to comply with any reasonable requirements of the fire chief as to the safeguarding of such fire from spreading.

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

(6) This section is not intended to limit the authority of a district to adopt a fire prevention code as provided in ORS 478.910 to 478.940 or to issue permits when the burning is done by mechanical burners fired by liquefied petroleum gas.

(7) The fire chief shall maintain records of all permits and the conditions thereof, if any, that are issued for field burning under this section and shall submit at such times, as the Environmental Quality Commission shall require such records or summaries thereof to the commission. The Environmental Quality Commission shall provide forms for the reports required under this subsection.

(8) Notwithstanding any other provision of this section:

(a) A permit is required for field burning authorized pursuant to ORS 468A.550 to 468A.620 and 468A.992.

(b) For a permit for the propane flaming of mint stubble, the fire chief may only prescribe conditions necessary to prevent the spread of fire or to prevent endangering life or property and may refuse, revoke or postpone permission to conduct the propane flaming only when necessary to prevent danger to life or property from fire. [1955 c.469 §§1,2; 1959 c.363 §16; 1967 c.420 §1; 1967 c.438 §1; 1969 c.613 §3; 1969 c.667 §57; 1971 c.563 §9; 1973 c.832 §7b; 1975 c.635 §4; 1979 c.321 §1; 1989 c.615 §2; 1991 c.920 §22; 1997 c.274 §40; 1997 c.473 §6; 2009 c.790 §2]

478.965 Recovery by district of costs of suppressing unlawful fire; attorney fees. (1) If the fire-fighting apparatus or personnel, or either of a district, are required to respond and be used actively or on a standby basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in willful violation of ORS 478.960 (1) to (5), the person responsible therefor shall be liable to the district furnishing such apparatus or personnel, or both, for the actual costs incurred by the district in controlling, extinguishing or patrolling the fire. Such costs may be recovered in an action prosecuted in the name of the district. The court may award reasonable attorney fees to the district if the district prevails in an action under this section. The court may award reasonable attorney fees to a defendant who prevails in an action under this section if the court determines that the district had no objectively reasonable basis for asserting the claim or no reasonable basis for appealing an adverse decision of the trial court.

(2) An itemized statement of the actual costs incurred by the district, certified under oath by the treasurer of the district, shall be accepted as prima facie evidence of such costs in the action authorized by this section. [1967 c.420 §6; 1969 c.667 §58; 1981 c.897 §55; 1995 c.696 §24]

Note: Sections 1 and 2, chapter 310, Oregon Laws 2023, provide:

Sec. 1. (1) The State Fire Marshal shall:

(a) Establish a Rural Structural Fire Protection Review Committee.

(b) Appoint persons to serve on the committee as soon as practicable after the effective date of this 2023 Act [July 18, 2023].

(2) The committee:

(a) Shall conduct a comprehensive review of the provisions of ORS chapter 478 that relate to structural fire protection.

(b) May not review provisions of ORS chapter 478 that relate to forestland assessment, field burning or consultation with the State Forestry Department.

(c) Shall, based on the review described in paragraph (a) of this subsection, develop recommendations to modernize and improve the structural fire protection operations of rural fire protection districts and to make the operations more efficient.

(d) Shall report on the review described in paragraph (a) of this subsection and the recommendations described in paragraph (c) of this subsection, in the manner prescribed in ORS 192.245, to one or more relevant committees or interim committees of the Legislative Assembly on or before September 15, 2024. [2023 c.310 §1]

Sec. 2. Section 1 of this 2023 Act is repealed on January 2, 2025. [2023 c.310 §2]

Chapter 478 Continued— Rural Fire Protection Districts



Boardman Fire Rescue District Board of Directors
Meeting Minutes
January 11, 2024
Boardman Fire Station 81
911 SW Tatone Street – POB 2, Boardman, OR 97818

DISTRICT IDENTIFICATION NAMES

478.970 Purpose of district identification names. The purpose of ORS 478.970 to 478.982 is to establish an identification name for each district to be used for statistical purposes by the State Fire Marshal and in the process of insurance rating. ORS 478.970 to 478.982 do not alter or add to the corporate title or identification of a district organized or established by law. [1953 c.164 §1; 1969 c.667 §59; 2001 c.426 §2]

478.972 Application by district to State Fire Marshal for identification name. (1) When a district is organized the first board shall notify the State Fire Marshal in writing of the identification name for the district.

(2) Except as provided in this subsection, upon receipt of a written notice from the board, the State Fire Marshal shall immediately assign the district the identification name. The fire marshal shall notify the board in writing if the name conflicts with the name of another fire district in this state.

(3) The district board shall notify the fire marshal as provided in subsection (1) of this section within 30 days after the act that completes the organization or establishment of the district. [1953 c.164 §2; 1969 c.667 §60; 2001 c.426 §3]

478.974 [1953 c.164 §3; 1969 c.667 §61; repealed by 2001 c.426 §6]

478.976 [1953 c.164 §4; repealed by 2001 c.426 §6]

478.978 [1953 c.164 §5; 1969 c.667 §62; repealed by 2001 c.426 §6]

478.980 Identification name for district formed by consolidation or merger of districts. In the event of a consolidation or merger of two or more districts, the consolidated board shall select a name for the surviving or successor district in the manner provided in ORS 478.972. [1953 c.164 §6; 1969 c.667 §63; 1971 c.727 §143; 2001 c.426 §4]

478.982 Reuse of names of dissolved districts. In the event of a dissolution of a district, the name assigned to the district is available for assignment to another district. [1953 c.164 §7; 1969 c.667 §64; 2001 c.426 §5]

PENALTIES

478.990 Penalties. (1) Violation of any provision of ORS 478.930 is a Class D violation. Each day's refusal to remove fire hazards after notice by the inspecting officer to the owner of the premises where the hazard exists is a separate offense.

(2) Burning without a permit required under ORS 478.960 (1) or in violation of a condition thereof is a misdemeanor.

(3) Violation of ORS 478.960 (4) is a misdemeanor.

(4) Subject to ORS 153.022 and 153.025, violation of any rule or regulation made by a rural fire protection district or other public body, as defined in ORS 174.109, pursuant to ORS 478.300 (2) is a misdemeanor. [Subsection (2) enacted as 1955 c.469 §3; subsection (3) enacted as 1965 c.602 §28; 1969 c.667 §65; 1971 c.563 §11; 1989 c.615 §4; 1999 c.1051 §188; 2003 c.802 §127]