



COUNCIL ORDINANCE NO. 20630

**AN ORDINANCE ADOPTING HAZARDOUS
SUBSTANCE USER FEES AND PROVIDING FOR AN
IMMEDIATE EFFECTIVE DATE.**

ADOPTED: April 27, 2020

SIGNED: April 30, 2020

PASSED: 8:0

REJECTED:

OPPOSED:

EFFECTIVE: April 30, 2020



ORDINANCE NO. 20630

AN ORDINANCE ADOPTING HAZARDOUS SUBSTANCE USER FEES AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. Pursuant to Article VII of Amendment IV to the Eugene Charter of 2002 (the "Amendment"), the City Council has previously adopted a series of Resolutions and Ordinances establishing fees to be paid by hazardous substance users within the City with the most recent being Ordinance No. 20612.

B. In accordance with other requirements of the Amendment, the City Council, by ordinance, has adopted the City's Hazardous Substance Tracking Instructions, which provide guidance to hazardous substance users in completing and submitting the reports required by the Amendment.

C. Pursuant to ORS 453.370(2)(a), the City must adopt the hazardous substance user fee schedule via ordinance after notice and public hearing. The City published and posted notice of the public hearing to be held on April 27, 2020, concerning the proposed ordinance adopting hazardous substance user fees, and such hearing was held before the Eugene City Council on that date.

D. Pursuant to ORS 453.370(2)(b), the City cannot adopt a fee schedule that imposes a fee of more than \$2,000 for any single facility in any calendar year.

E. The Toxics Board has recommended a fee of \$56.13 per FTE, not to exceed \$2,000 for any single facility for the 2020 calendar year, in order to cover the expenses of the program for the fiscal year commencing July 1, 2020.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. A fee of \$56.13 per FTE, not to exceed \$2,000 for any single facility for the 2020 calendar year, is hereby imposed as the fee to be paid by hazardous substance users within the City of Eugene.

Section 2. No enforcement action shall be taken against any reporting company for failure to pay until after June 30, 2020.

Section 3. As used in this Ordinance, the terms "FTE" and "hazardous substance users" have the meanings ascribed to them in Section 3.692 of the Eugene Code, 1971.

Section 4. The fees collected pursuant to this Ordinance shall be used for the purpose of operating the Toxics Right-to-Know Program created by Amendment IV to the Eugene Charter of 2002 and implemented by subsequent ordinances of the City.

Section 5. Pursuant to Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the City Council and approval by the Mayor. An immediate effective date is necessary to ensure the City's updated hazardous substance user fees are effective prior to May 1, 2019, as required by Eugene Code section 3.694 and Article VII of Amendment IV to the Eugene Charter of 2002.

Passed by the City Council this

27th day of April, 2020.



City Recorder - Deputy

Approved by the Mayor this

30 day of April, 2020.



Mayor