

Deschutes County R.F.P.D. #2
PROCEDURE FOR ANNEXATION OF PROPERTY

Deschutes County Rural Fire Protection No. 2 is a “Special District” surrounding the City of Bend that was formed to provide fire protection for property within the District. The District does not operate a fire department, but instead contracts with the City of Bend for fire protection service within the District. The City/District contract also includes Emergency Medical Service (EMS) which provides ambulance service to the District residents at the same rates charged City EMS users.

To pay the City for this protection and service, the District levies a tax on property in the District which is collected as a part of property taxes paid to the County. Property annexed to the District does not become subject to the District tax levy until some months after the annexation is completed. Emergency services will be provided at the time the petition is submitted and as long as the process continues to progress. Persons intending to annex to the District should be aware that at the time an application is submitted a one-time, non-refundable fee of \$500.00 will need to be paid. A contract to provide fire protection by the District may also need be required. That contract may be waived at the discretion of the DCRFPD #2 board. If a contract is required a prorated cost based on the same rate District residents pay on assessed valuation will need to be paid. That contract will be for the period from the date of application to the date the property is actually included on the tax rolls.

The procedure to annex property to the Fire District is conducted by Deschutes County. The following is furnished to assist persons interested in annexing property to Deschutes County R.F.P.D. #2.

1. Property owners or electors in an area (Petitioners) desiring to annex to the District should first consult with the City of Bend Fire Department to determine whether the City can and will furnish protection to the property proposed to be annexed. The property to be annexed must meet certain criteria including the following:
 - A. Prospective properties must be contiguous to the District and or city of Bend boundary line and be within five (5) road miles of a Bend Fire Station. All exceptions to these provisions are at the discretion of the District Board of Directors.
 - B. Subdivisions must be approved and platted, meeting all of the requirements of TITLE 17 of the Deschutes County Code, Subdivision and Partition Ordinance.
 - C. Applicants will submit to the Fire Department a site plan showing all buildings, utilities, septic tanks, drain fields, water supplies, access roadways, gates, fences, cattle guards and bridges. Bridges and cattle guards will be constructed to withstand and at least 50,000 lbs. for three axle vehicles and applicant will show engineering proof of the maximum weight limit and post such data at the bridge.
 - D. Additionally, the applicant will supply the legal property description, tax lot number, assessed value tax statement (from Deschutes County) and distance from the nearest Bend Fire Station.

- E. Prospective properties will have an approved access roadway, and roadways will be in accordance with the Oregon Fire Code regarding width, height, weight limitation and turn-arounds. Road name signs must be approved by Deschutes County and be clearly posted, and all properties will be required to have a Fire Department approved address sign that is clearly visible from the street fronting the property or an additional sign will be required.
 - F. Applicants' property will be protected by a primary fuel break, 30 feet in width, around all buildings.
 - G. Applicants will comply with State of Oregon and Deschutes County Statutes for their zoned property in regards to new construction.
2. The petition will consist of:
- A. The petition form signed by the chief petitioner.
 - B. The petition signature form signed by the landowners or voters and notarized. If any signatory is an entity, you must provide a certified copy of authority to sign for that entity.
 - C. An 8 ½" by 11" assessors map showing the fire district boundary and the area that is petitioning to be part of the District.
 - D. An exhibit "A" that will describe the legal description of the property and will match the map mentioned above.
 - E. Form 150-310-079 for those properties within the Oregon Department of Forestry jurisdiction.
 - F. Fire Service Agreement (if required by the District).
3. After the City (fire department) has given its tentative approval, the petition forms should be submitted to the Fire District Executive Director, (telephone: 541-322-6377), and a contract for interim fire protection, if required, will need to be signed.
4. The number of signatures on the petition will depend upon the number of separate property ownerships or the number of electors registered in the area proposed to be included in the annexation. The petition must include a legal description of the property or properties proposed to be annexed and an assessor's map showing the location of the properties proposed to be annexed. Legal descriptions should be taken from recorded deeds and property must be clearly marked on tax maps available from the county assessor's office. The County will require the map to be no larger than 8-1/2" by 11" and the area to be annexed should not be highlighted in a color other than yellow, but show current Deschutes County R.F.P.D. #2 boundaries in relation to the property. Property that is also within the jurisdiction of Oregon Department of

Forestry will also need to submit an Oregon form 150-310-079 requesting protection from the district and submitting to its taxes.

5. Petitions to annex must be approved by the District and by the City before being filed with the County. Petitions containing signatures that are older than six months will be rejected by the County and not accepted for filing. Petitioners should return completed petitions to the Fire District Executive Director, along with a check payable to the Deschutes County Clerk in the amount of \$100.00 as a deposit on the cost of the annexation procedure. The annexation application fee of \$500.00 will also be paid at that time. The annexation process involves certain publications and posting of notices and the typical annexation cost, assuming an election is not required, is about \$150.00. When the annexation procedure has been completed by the County, the Petitioner will receive a refund of the entire amount paid to the County if annexation is approved. If the annexation is denied the Petitioner or Petitioners \$100 deposit is used to pay the costs, and, if there are any additional costs, the County will collect them from the Petitioner.

6. Properly completed petitions placed with the District will be considered at the next monthly board meeting, and then formally considered by the City. When approved by the District and City, the petition will be filed with the Deschutes County Clerk to start the annexation process. Unopposed annexations are completed in due course and generally require 3-4 months. Petitioners will be informed of any complications that may arise and will be advised when the county has signed the order approving the annexation.

7. At the time the annexation request is submitted to the District, a contract to provide Fire and EMS protection from that date may be signed and a contract price will be paid. The contract price will be based on the same rate district property owners pay or a minimum cost of \$500.00 (whichever is higher). The most recent tax statement will be necessary to determine the exact amount. The cost will be prorated, based upon the date of application and the date the property will be subject to the District tax levy. Since a property must be annexed by the County and registered with the State by March 31 of each year to be subject to the District tax levy on the County tax statement for the next fiscal year beginning July 1, annexations completed after March 31 will not be subject to the District tax levy until the second fiscal year (e.g. annexations completed after March 31, 2017 will not be subject to tax levy until July 1, 2018). Thus, a contract for fire protection submitted after November 1 may require a payment of more than 12 months.

8. Sample instruments and a requirement list for the county annexation procedure are also available. Persons interested in annexing to Deschutes County R.F.P.D. No. 2 having further questions should contact the Fire District Executive Director at 541-322-6377.

(Revised 1/7/2019)