

## **ORDINANCE NO: 10.01**

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE USER FEES FOR THE DEPLOYMENT OF SERVICES BY THE FIRE DISTRICT FOR SERVICES PROVIDED/RENDERED FOR THE DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT**

**WHEREAS**, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training continue to create additional demands on all operational aspects of the fire department services; and

**WHEREAS**, the Fire District has investigated different methods to maintain a high level and of quality of emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the Fire District decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

**WHEREAS**, raising real property tax to meet the increase in service demands would not be equitable to the property owners, when a serving nonresidents involved in motor vehicle incidents and other emergency services involving individuals not owning property or paying taxes in the Fire Districts' service area; and the ability of the Fire District to effectively respond decreases the liability of insurance companies by saving lives and minimizing property and environmental damage; and

**WHEREAS**, the Board of Diamond Springs/El Dorado Fire Protection District desires to implement a fair and equitable procedure by which to collect said user fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines;

**NOW THEREFOR BE IT ORDAINED BY THE BOARD OF DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT:**

**SECTION 1:** The Diamond Springs – El Dorado Fire Protection District shall initiate user fees for the delivery of emergency services by the Fire District for personnel, supplies and equipment to the scene of motor vehicle incidents and other incidents as listed in “EXHIBIT A, District Policy 604 and Policy 605”. The rate of user fees shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in “EXHIBIT A, District Policy 604 Appendix 1 and Policy 605 Section V”, which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document as adopted by the Board of Directors. The Board of Directors shall, with the intent of expressing current real cost

revise, amend or review EXHIBIT A, Policy 604 Appendix 1 and Policy 605 Section V at a regularly noticed meeting of the Board of Directors.

SECTION 2: The user fees shall be filed to the responsible party, representing an add-on cost of the claim for damages of the vehicles, property and/or injuries. The claim costs shall be filed to the insurance coverage of the owner of a vehicle, owner of property, or responsible parties. In some circumstances, the responsible party will be billed directly.

SECTION 3: The Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these user fees or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinances of the Board.

SECTION 5: This Ordinance shall take effect thirty days (30) from the date of adoption as permitted by law.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:**

\_\_\_\_\_  
Robert Larsen Sr., Board Chair

*I, Caroline Falconer Secretary to the Board, do hereby certify that the foregoing Ordinance No. 10.01 was duly published in the Mountain Democrat, a newspaper of general circulation on the \_\_\_\_ day of \_\_\_\_\_, 2010; and I further certify the compliance with the Codified Ordinances and the laws of the State of California, pertaining to Public Meetings.*

\_\_\_\_\_  
*Caroline Falconer, Board Secretary*

## **EXHIBIT A**

### **USER FEES BASED ON PER HOUR**

#### **MOTOR VEHICLE INCIDENTS**

##### **Level 1 - \$435.00**

Provide hazardous materials assessment and scene stabilization. This will be the most common billing level. This occurs almost every time a fire department responds to an accident/incident.

##### **Level 2 - \$495.00**

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

##### **Level 3 – CAR FIRE - \$605.00**

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

##### **Level 4 - \$1,800.00**

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). We will bill at this level if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

##### **Level 5 - \$2,200.00**

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter is utilized to transport the patient(s).

## **HAZMAT**

### **Level 1 - \$700.00**

**Basic Response:** Billing will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

### **Level 2 - \$2,500.00**

**Intermediate Response:** Billing will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

### **Level 3 – \$5,900.00**

**Advanced Response:** Billing will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal fees of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

## **PIPELINE INCIDENTS / POWER LINE INCIDENTS**

**(Includes, but not limited to: Gas, Sewer, Septic to Sewer, and Water Pipelines)**

### **Level 1 - \$400.00**

**Basic Response:** Billing will include engine response and first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.

### **Level 2 - \$1,000.00**

**Intermediate Response:** Billing will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.

### **Level 3 – Itemized Billing Charges**

**Advanced Response:** Billing will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair of intermediate to major pipeline damage. May include set-up and removal of decon center, detection, recovery and identification of material. Disposal and environment clean up.

### **FIRE INVESTIGATION**

**Fire Investigation Team - \$275.00 per hour.**

**Includes:**

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

**The billing begins when the Fire Investigator responds to the incident and is billed for logged time only.**

### **FIRES**

**Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck**

**Includes:**

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common billing level. This occurs almost every time a fire department responds to an incident.

**OPTIONAL: A fire department has the option to bill each fire as an independent event with custom billing rates.**

**Itemized, per person, at various pay levels and for itemized products use.**

## **WATER INCIDENTS**

### **Level 1**

**Basic Response:** Billing will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common billing level. This occurs almost every time a Fire Department responds to a water incident.

**Billed at \$400 plus \$50 per hour, per rescue person.**

### **Level 2**

**Intermediate Response:** Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

**Billed at \$800 plus \$50 per hour, per rescue person.**

### **Level 3**

**Advanced Response:** Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal fees of material and contaminated equipment and material used at scene.

**Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.**

### **Level 4**

**Itemized Response:** You have the option to bill each incident as an independent event with custom billing rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

## **BACK COUNTRY OR SPECIAL RESCUE**

**Itemized Response:** Each incident will be billed with custom billing rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

**Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.**

### **CHIEF RESPONSE**

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

**Billed at \$250 per hour.**

### **MISCELLANEOUS**

**Engine billed at \$400 per hour.**

**Truck billed at \$500 per hour.**

**Miscellaneous equipment billed at \$300.**

### **BILLING RATE NOTES**

The billing rates above are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average billing rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's “actual personnel expense” and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.