

BOROUGH OF FREEPORT
ARMSTRONG COUNTY, PENNSYLVANIA
ORDINANCE NO. 394

**AN ORDINANCE OF THE BOROUGH OF FREEPORT, COUNTY OF ARMSTRONG,
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING BILLING FOR EMERGENCY SERVICES IN
THE BOROUGH OF FREEPORT.**

WHEREAS, the Emergency Services response activity to incidents on the highways continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of Fire and Rescue Services; and **WHEREAS**, the Fire and Rescue Services have investigated different methods to maintain a high level of quality and emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the Fire and Rescue Services decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property damage; and **WHEREAS**, raising real property taxes to meet the increase in service demands would not be fair to property owners, when a majority of the Motor Vehicle Accidents (MVA) involve individuals not owning property or paying taxes in the jurisdiction; and the expense and time involving the response to commercial structural fires is exhaustive; and the cost of responses to releases of hazardous materials is not sustainable by the Borough's recognized Emergency Services providers; and the ability of Fire and Rescue Services to effectively respond decreases the liability of insurance companies by saving lives and minimizing vehicle damage; and **WHEREAS**, the Borough of Freeport desires to implement a fair and equitable procedure by which to collect said fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, therefore **BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF FREEPORT:**

SECTION 1: The Borough's Fire and Rescue Services shall initiate user fees for the delivery of Fire and Rescue Services, personnel, supplies and equipment to the scene of motor vehicle accidents and other incidents on the highways. The rate of user fees shall be that which is usual, customary and reasonable (UCR), which may include any services, personnel, supplies and equipment and with baselines established by addendum to this document.

SECTION 2: The user fee shall be filed with the motor vehicle insurance carrier, representing an added-on cost of the claim for damages of the vehicles, property and/or injuries. In the event services are required relating to utilities causing safety problems to highway areas, and if the area is deemed unsafe by emergency responders, the same billing process shall apply to said utility, whose equipment related problems cause an emergency services response. The claim's costs shall be filed with the insurance carrier of the owner of a vehicle, property or other

responsible party.

SECTION 3: The Borough's Fire and Rescue Services' 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 fees or the collection thereof.

SECTION 4: All amounts collected as a result of this Ordinance shall be placed into a fund as established by the Borough's Fire and Rescue Services' to be used exclusively for personnel, supplies and equipment of Fire and Rescue Services.

SECTION 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements and the Codified Ordinances of the Council.

SECTION 6: This Ordinance shall take effect at the earliest time permitted by law.

Proposed 2021 Rate Schedule:

Fire and Rescue Services Billing Fees (MVA's)

(non-hazardous materials incidents)

LEVEL 1 \$125

Service Charge Includes:

- Basic Response
- No complicated or lengthy service performed
- Basic Fire Police Services

LEVEL 2 \$250

Service charges include all of the above items, plus:

- Traffic control
- Apply absorbent
- Incident Scene clean-up
- Vehicle removal assistance

LEVEL 3 \$500

Service charges include all of the above, plus:

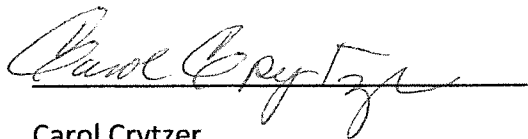
- Victim extrication (including multiple victims)
- Above average use of power/hand tools
- Traffic control in excess of 2 hours
- Incident scene reconstruction assistance to Police Department
- Excessive manpower, time or services related to complicated or serious incident

In all cases, these fees are based upon a single vehicle rate, meaning the rate can be charged for each vehicle involved in an incident.

ORDAINED AND ENACTED THIS 1st DAY OF February, 2021.

ATTEST:

BOROUGH OF FREEPORT:



Carol Crytzer

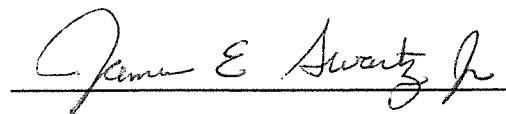
Secretary, Borough of Freeport



Clint Warnick

President, Borough Council

APPROVED AS TO FORM:



James E. Swartz Jr.

Mayor, Borough of Freeport