

ORDINANCE NO. 2 of 2018  
Port Royal Borough, Juniata County, PA

AN ORDINANCE OF PORT ROYAL BOROUGH, JUNIATA COUNTY, PENNSYLVANIA RECOGNIZING THE AUTHORITY OF THE FRIENDSHIP FIRE COMPANY (PORT ROYAL), CJEMS, and PORT ROYAL EMS (Emergency responders) TO SEEK REIMBURSEMENT FOR FIRE, SAFETY & RESCUE RESPONSES AND HAZARDOUS MATERIAL & ENVIRONMENTAL INCIDENTS.

IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of Port Royal Borough, Juniata County, Pennsylvania as follows:

**ARTICLE I. TITLE**

This Ordinance shall be known as the Port Royal Borough Emergency Service Cost Reimbursement Ordinance.

**ARTICLE II. AUTHORITY, FINDINGS, AND PURPOSE**

A. Authority - Pursuant to Sections 1202 and 1202(24) of Borough Code of Pennsylvania, as amended, the Borough of Port Royal, Juniata County, PA has the authority to make provisions for and rules and regulations for the government of public safety and/or fire companies and/or such other emergency services located within or serving Port Royal Borough, Juniata County, PA.

B. Findings - It is recognized that the duties of fire companies require specialized fire/safety/emergency/rescue/environmental/hazardous material tools, equipment, materials, supplies and specialized training in order to provide for the safety of the public served. Such required responses, as well as the response to emergency situations involving, and/or caused by, resident and/or non-resident individuals, places a tremendous financial burden on said fire companies. While taxes, if applicable, may provide the fire companies sufficient financial assistance to exist, in an effort to avoid ever-increasing tax burdens of the residents of Port Royal Borough, Juniata County, PA, it is found that the alternative source of funding known as Emergency Service Cost Reimbursement (i.e. response billing) is necessary and should be authorized.

C. Purpose - To grant the above emergency responders, operating in Port Royal Borough, Juniata County, PA (hereinafter "Emergency Responders") the authority to seek reimbursement for the reasonable costs of responding to such incidents, as well as the reasonable costs to recoup such costs.

### **ARTICLE III. RECOVERY OF COSTS**

To the extent permitted and authorized under the aforesaid Sections of The Borough Class Code of Pennsylvania, as amended. PORT ROYAL BOROUGH COUNCIL does hereby authorize:

A. The aforesaid Emergency Responders to recover the reasonable costs of the use of emergency fire and/or rescue (including, but not limited to, vehicle accidents) personnel hours, tools, equipment, materials and vehicles; hazardous material and/or environmental response personnel hours, tools, equipment, materials and vehicles; and reasonable interest on any amount due from the date of the response forward. Additionally, the Emergency Responders are authorized to collect a reasonable flat-rate fee for any false alarm responses or fire drill responses for which the Emergency Responders did not receive at least forty-eight (48) hours prior notice.

Nothing in this Ordinance shall be interpreted as limiting any amounts the Emergency Responders are authorized to collect under any applicable State statute or law.

B. The reasonable costs authorized to be billed for under this Ordinance may be recovered directly by the Emergency Responders or through a third party billing service as an authorized agent for the collection of such costs.

C. The reimbursement rates for the aforementioned costs are established in "Attachment A", incorporated by this reference and may be amended from time to time hereafter by Resolution of the of the Port Royal Borough Council.

D. If a third party billing service is utilized, said third party billing service shall be authorized to charge a reasonable service charge in addition to the costs it is recovering for the Emergency Responders and must, at all times comply with Fair Debt Collection Practices Act (Public Law 95-109, 15 U.S.C. § 1692 et seq. Said service charge will be set by the third party billing service.

E. In the event that collection costs and/or attorney's fees are incurred by the Emergency Responders or third party billing service as a result of the efforts required to obtain full reimbursement for the costs billed for under this Ordinance, said collection costs and/or attorney's fees may be recovered by the Emergency Responders or third party billing service from the party responsible for the costs originally billed for under this Ordinance.

### **ARTICLE IV. REPEALER & SEVERABILITY**

A. All ordinances, parts of ordinances, and amendments thereof which are inconsistent with this Ordinance are hereby repealed.

B. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

## ATTACHMENT "A"

A RESOLUTION OF PORT ROYAL BOROUGH COUNCIL, JUNIATA COUNTY, PENNSYLVANIA, ESTABLISHING FEES FOR CERTAIN EMERGENCY RESPONSES BY THE BOROUGH'S EMERGENCY RESPONDERS.

WHEREAS, on November 12, 2018, the Council of Port Royal Borough adopted Ordinance No. 2 of 2018, establishing fees for emergency fire and/or rescue response for incidents in Port Royal Borough by the Borough's Emergency Responders; and

WHEREAS, Article II of said Ordinance provides for the establishment of fees for such responses by the Borough Council after consultation with the Emergency Responders; and

WHEREAS, the Emergency Responders have recommended the emergency response fees to the Borough Council;

NOW THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough Council of Port Royal that the following fees for responding emergency fire and/or rescue incidents occurring in Port Royal Borough are hereby established:

### BILLING LIST

#### Apparatus:

Engine	\$350.00 Per Hour
Arial Ladder	\$400.00 Per Hour
Rescue	\$300.00 Per Hour
Squad/Utility/Support	\$150.00 Per Hour
Tanker/Tender	\$300.00 Per Hour

#### Equipment/Service

SCBA	\$50.00 Each
Hose (per 50')	\$25.00
Gas/CO Detector/Heat Gun	\$50.00 Per Use
Deodorizer	\$25.00 Per Use
Extinguisher (any class)	\$50.00 Per Use
Fire Police Services	\$100.00 Per Hour
Hand Tools	\$15.00 Each
Hydraulic Rescue Tools	\$200.00 Each
Scene Lighting	\$75.00 Per Hour
Oil Booms	\$20.00 Each
Oil Absorbent Sheets	\$10.00 Each
Oil Dry	\$35.00 Bucket
Portable Pumps	\$30.00 Hour

Power Tools	\$50.00 Each
Road Closing/Traffic Control	\$100.00 Per Hour
Salvage Covers	\$35.00 Each
Debris Cleanup/Removal	\$250.00
Flares	\$8.00 Each
Ventilation Fans	\$50.00 Each
IR Camera	\$100.00 Each
Foam	\$60.00 Per Gallon
Cribbing:	
-Passenger	\$100.00 Each
-Class B	\$200.00 Each
-Trucks, Class A	\$500.00 Each
Stabilization Struts	\$50.00 Per Use
Latex Gloves	\$2.00 Per Pair
Ladders	\$35.00 Per Use
Medical Extraction (w/Hydraulics)	\$1,500.00 Per Patient
Generator	\$50.00 Per Hour
Hand Lights	\$5.00 Per Use
Portable Pond	\$150.00 Per Use
Wetting Agent	\$25.00 Per Unit
Fire Line Tape	\$0.25 Per Foot

BE IT FURTHER RESOLVED that the fees established herein shall remain in effect until changed by further resolution of the Borough Council.

RESOLVED, this 12<sup>th</sup> day of November, 2018.

Attest:

PORT ROYAL BOROUGH

BY:

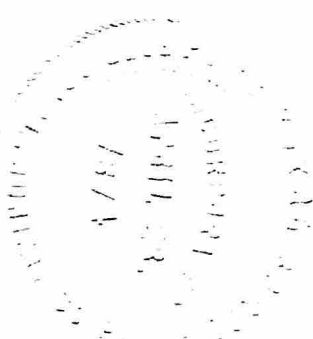
Paula J. Gauer  
Borough Secretary

Ronald A. Wall  
Council President

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Member

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Member

[Signature]  
Member



*Joseph D. Blessing*

Member

*Walter D. Blessing*

Port Royal Mayor