

**UPPER MERION TOWNSHIP
MONTGOMERY COUNTY, PA
ORDINANCE NO. 2023- 887**

AN ORDINANCE OF UPPER MERION TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 77, EMERGENCY SERVICES, TO MODIFY THE BILLING PROCEDURE FOR THIRD-PARTY BILLING; USER FEE DISTRIBUTION AND UNCOLLECTABLE ACCOUNTS.

BE IT ENACTED AND ORDAINED AS FOLLOWS:

Section 1. That Chapter 77, Section 77-3A (1), Procedure for Billing, be amended to read as follows:

- A (1) The third-party billing service is to be provided at a rate in accordance with any billing services agreement/contract for service or at an amount consistent with the fair market value for services rendered.

Section 2. That Chapter 77, Section 77-3C (4) and 77C (5), User fees, be amended to read as follows:

- C (4) Any and all amounts collected as a result of this Ordinance shall be turned over to the Township and deposited into a designate Township revenue account and shall be distributed according to a formula as determined by the Department of Public Safety and approved by the Upper Merion Township Board of Supervisors for the replacement and maintenance of emergency services materials and equipment.
- C (5) The Upper Merion Township Board of Supervisors may implement rules and/or regulations and/or revoke or amend existing rules and/or regulations as may be deemed necessary for the billing and/or collection of user fees pursuant to this Ordinance. The Board of Supervisors, at its discretion, also reserves the right to waive billings in certain circumstances.

Section 3 That Chapter 77, Section 77-3D be amended delete existing subsection D (1) and renumbered to read as follows:

- D (1) Should the Township determine that an insurance carrier has remitted the fee to the user involved and that the party has failed to remit the fee to the Township, the Township will take appropriate action in order to collect the account.

SECTION 4. REPEALER. All Ordinances or parts Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 5. REVISIONS. The Upper Merion Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 6 SEVERABILITY. To the extent that any provision of this ordinance is deemed to be unlawful, such provision shall be severable from the remainder of provisions which are not deemed to be unlawful, which lawful provisions shall continue in full force and effect.

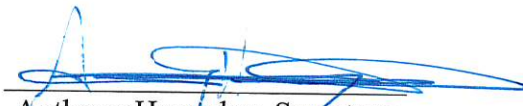
SECTION 7. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.


SECTION 8. FAILURE TO ENFORCE NOT A WAIVER. The failure of Upper Merion Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ENACTED AND ORDAINED this 9th day of March 2023 by the Board of Supervisors of Upper Merion Township.

ATTEST:
BOARD OF SUPERVISORS

UPPER MERION TOWNSHIP

By: 
Anthony Hamaday, Secretary

By: 
Tina Garzillo, Chairperson,
Upper Merion Township
Board of Supervisors

Advertised Ordinance in Times Herald : February 28, 2023

Proof of Publication Dated: February 28, 2023

Hearing Held: March 9, 2023

Ordinance Adopted March 9, 2023 as Ordinance No. 2023-887

Ordinance Entered: March 14, 2023