

Ordinance #241-8

AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE USER FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES RENDERED BY THE SPENCER FIRE DEPARTMENT & AMBULANCE SERVICE

Whereas, the Spencer Fire Department & Ambulance Service response activity to incidents on the highways and roads 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 Spencer Fire Department & Ambulance Service; and

Whereas, the Spencer Fire Department & Ambulance Service 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 Spencer Fire Department & Ambulance Service 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 ability of the Spencer Fire Department & Ambulance Service to effectively respond decreases the liability of insurance companies by saving lives and minimizing vehicle damage; and

Whereas, the Spencer Fire Department & Ambulance Service desires to implement a fair and equitable procedure by which to collect said MVA fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, therefore

BE IT ORDAINED BY THE VILLAGE OF SPENCER

SECTION 1: The Spencer Fire Department & Ambulance Service shall initiate user fees for the delivery of the Spencer Fire Department & Ambulance Service, personnel, supplies and equipment to the scene of motor vehicle accidents and other incidents on the highways and roads. 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. 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 Spencer Fire Department & Ambulance Service commission 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: A schedule of fees and costs shall be updated annually at the first, regular business meeting of the Spencer Fire Department & Ambulance Service commission.

SECTION 5: It is found and determined that all formal actions of the Spencer Board of Trustees concerning and relating to the adoption of this Ordinance were adopted in open meetings of the Spencer Board of Trustees, and that all deliberations of the Spencer Board of Trustees and any of its committees

that resulted in such formal actions were in accordance with all legal requirements and the Codified Ordinances of the Village of Spencer.

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

Adopted October 14, 2019



Pauline Frome
Village President



Paul Hensch
Village Clerk