ORDINANCE O014-2023

WASHINGTON TOWNSHIP
GLOUCESTER COUNTY

ORDINANCE AMENDING CHAPTER 92 OF THE CODE OF THE TOWNSHIP OF WASHINGTON ENTITLED "FIRE PREVENTION"

BE IT ORDAINED by the Township Council of the Township of Washington, in the County of Gloucester, State of New Jersey, that Chapter 92 of the Code of the Township of Washington entitled "Fire Prevention" shall be modified, amended, and/or supplemented as follows:

SECTION 1: To Chapter 92, add an Article III entitled "Reimbursement of Fire Department Services" which will read as follows:

§92-19 Definitions

As used in this article, the following terms shall have the meanings indicated:

Fire Department
Washington Township Fire District

Person
A natural person or persons, partnership, corporation, association, firm or other legal entity

§92-20 Authorization to Recover Costs and Expenses

The Township of Washington hereby authorizes the Fire Department to recover the real and reasonable costs incurred for firefighting materials or equipment used and expended; the costs of the use of fire trucks, fire engines, rescue equipment, tankers and other vehicles; the costs of hazardous situation abatement materials involved in any fire, safety and rescue incident or operation; and hazardous abatement incidents, including vehicular accidents or fires.

§92-21 Schedule of Fees and Costs

Attached hereto, incorporated herein and made part hereof as Exhibit A is a Schedule of Fees and Costs which have been authorized by the governing body to be charged by the Township of Washington. These fees and costs may be charged and invoiced to any person or insurance carrier for whom or for whose property such services were rendered and/or materials provided.

§92-22 Collection of Costs

A. When the Fire Department determines it is in the best interest of that entity to establish a reimbursement mechanism to offset costs for the use of emergency rescue equipment, the Fire Department shall be permitted to establish an internal billing procedure to accomplish that goal. Said procedure may include the use of a third-party billing company to invoice and collect the costs incurred consistent with Exhibit A.

B. Every person and/or utility that is provided with emergency, rescue and hazmat services shall be billed in accordance with this article.

C. Any and all amounts collected as a result of this article shall be used exclusively for the replacement or maintenance of Fire Department emergency services materials, equipment and training.

§92-23 Billing

A. These fees shall be billed to the insurance company of the party (whether person or utility) receiving emergency rescue services. In the case of an uninsured party, the Fire Department may bill the individual upon whom rescue service was rendered. The Fire Department shall submit a quarterly report to the Township Administrator identifying the revenue generated from these billing efforts. The rates set herein shall be reviewed annually by the Township Administrator and the Chiefs of the Fire Department. The Township Administrator, with input from the Chiefs, may thereafter recommend to the Township Council that the rate schedule be altered to reflect appropriate increases or decreases.

B. The Fire Department may, at its discretion, bill additionally for material and vehicle costs in the case of any major, extraordinary or unique incidents, including, but not limited to, hazardous material spills, fire emergency and rescue incidents that destroy or severely damage emergency services equipment.

C. The charges are anticipated to be paid by the user's insurance company. In the instance where the Fire Department receives notification from the insurance carrier that it will not honor the invoice, the Fire Department is authorized to invoice the responsible party directly and take any legal action necessary to collect the fee(s), including negotiating a settlement.

D. The Fire Department may, at its discretion, write off the uncollected fee amounts as a bad debt, without prejudice to the responsible party.

E. Should the Fire Department determine that an insurance carrier has remitted the fee to the responsible party involved and that the party has failed to remit the fee, the Fire Department is authorized to pursue all legal means and appropriate action in order to collect the amount.

§92-24 Interest and Administration Fees

In addition to the aforementioned fees and costs, the Fire Department is authorized to collect reasonable interest and administration fees for collecting said fees and costs.

§92-25 Construal of Provisions

Nothing in this article shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this article.

SECTION 2: Except as set forth above, the balance of Chapter 92 and the balance of the Code of the Township of Washington shall not be affected by this Ordinance.

SECTION 3: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the mayor, whichever comes first.

INTRODUCTION: July 19, 2023

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes			X				
Del Borrello			X				
Brown	X		X				
Bennett		X	X				
DellaPia			X				

TOWNSHIP OF WASHINGTON

By: _____
Anthony DellaPia, Council President

I, Christine Ciallella, do hereby attest the above Ordinance **O014-2023** was introduced at the Township of Washington Meeting on July 19, 2023. A public hearing will occur on August 16, 2023 at 6:00 PM.

ATTEST:

_____
Christine Ciallella, RMC, CMR
Township Clerk

ADOPTION: August 16, 2023

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes		X	X				
Del Borrello			X				
Brown			X				
Bennett	X		X				
DellaPia			X				

I, Christine Ciallella, do hereby attest the above Ordinance **O014-2023** was adopted at the Township of Washington Meeting on August 16, 2023 by Township Council after a public hearing which was scheduled for August 16, 2023. Said Ordinance shall take effect in accordance with the law.

ATTEST:

Christine Ciallella

Christine Ciallella, RMC, CMR
Township Clerk

On this 22nd day of August 2023, I hereby approve the above Ordinance **O014-2023**.

JoAnn Gattinelli

JOANN GATTINELLI, MAYOR

EXHIBIT A

TOWNSHIP OF WASHINGTON
BILLING LIST/FIRE DEPARTMENT

Apparatus

Engine:	$350.00 Per Hour
Aerial/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
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	$2.50 Each
Oil Dry	$35.00 Per Bucket
Portable Pumps	$30.00 Per 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	$65.00 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 Extrication (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	$.25 Per Foot
Fire Fighter	$50.00 Per Hour
Other Material and Equipment	Replacement Cost