

BOROUGH OF WEST VIEW
ORDINANCE NO. 1522

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE IMPOSITION AND COLLECTION OF A SPECIAL EMERGENCY AMBULANCE SERVICE FEE.

WHEREAS, the provision of adequate ambulance services and emergency medical services are necessary for the general health, safety, and welfare of this municipality and its residents; and

WHEREAS, said services are provided by the Ross/West View Emergency Medical Services Authority and funded by a subscription service to residents and businesses, donations, billing to non-subscribers, and third-party billing to insurance providers; and

WHEREAS, funding cutbacks in Medicare and other benefit programs, and a low percentage of subscriptions purchased by residents and businesses within the municipality, coupled with ever rising costs of providing mandated standards of quality ambulance services and emergency medical services have created a fiscal crisis throughout the ambulance and emergency medical services industry, and particularly in our community; and

WHEREAS, the Borough Code specifically provides at 8 Pa. C.S.A. Section 1202(5), for the enactment of ordinances as may be necessary for the health, safety, morals and general welfare of the borough residents; and

WHEREAS, 8 Pa. C.S.A. Section 1202(56) of the Borough Code provides as follows: “Emergency Services. The borough shall be responsible for ensuring that fire and emergency medical services are provided within the borough by the means and to the extent determined by the borough, including the appropriate financial and administrative assistance for these services. The borough shall consult with fire and emergency medical service providers to discuss the emergency services needs of the borough. The borough shall require any emergency services

organization receiving borough funds to provide to the borough an annual itemized listing of all expenditures of these funds before the borough may consider budgeting additional funding to the organization”.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View as follows:

1. Premises are defined as the property or area, including the improvements thereon, to which service is or will be furnished, and as used herein, shall be taken to designate (1) a building under one roof, owned or leased by one customer, and occupied as one residence or one place of business; or (2) a group or combination of buildings owned by one customer, in one common enclosure, occupied by one family, or one organization, corporation or firm, as a residence or place of business or for manufacturing or industrial purposes, or as a hotel, hospital, church, parochial school, or similar institution, except as otherwise noted herein; or (3) the one side of a double house having a solid vertical partition wall; or (4) each side or each part of a house or building occupied by one family even though the closet and/or other fixtures be used in common; or (5) each apartment, office of suite of offices, and/or place of business located in a building or group of buildings, even though such buildings in a group are interconnected by a tunnel or passageway, covered areaway or patio, or by some similar means or structure; or (6) a public building devoted entirely to public use, such as a town hall, school house, or fire engine house; or (7) a single lot or park or playground; or (8) each house in a row of houses; or (9) each dwelling unit in a house or building, a dwelling unit being defined as a building or portion thereof, regardless of exclusive or common culinary facilities, designed for occupancy and use by one person or one family (household); or (10) each individual and separate place of business and/or occupancy located in one building or group of buildings commonly designated as shopping centers, supermarket areas, and by such other terms; or (11) each dwelling unit in a public housing development.
2. Special Emergency Ambulance Services Fee is defined as a specified uniform fee charged to each premises to which ambulance service and/or emergency medical services is made available, and entitles occupants of said premises to necessary 911 emergency transport, including the provision of basic life support and advanced life support. It does not include the cost of routine non-emergency medical transport, or secondary emergency transport. Any premises paying said fee will not be billed for the provision of service to said premises or any occupants therein, but the ambulance service may bill any applicable third party provider for said service.
3. Any premises, or occupants therein, that are not current on said fee shall be responsible for any and all costs associated with the provision of said services as set forth herein, including the amount of any invoices not paid by an applicable third party providers.

4. Each Special Emergency Ambulance Service Fee imposed under this Ordinance shall be for ambulance service and emergency medical services provided during the fiscal year of the ambulance provider of January 1st to December 31st. The Special Emergency Ambulance Services Fee is initially established by this Ordinance as follows:
 - a. \$50.00 for each residential premises;
 - b. \$150.00 for each small commercial premises, defined as having an occupancy of less than 100 persons, as determined by their occupancy permit;
 - c. \$225.00 for each medium commercial premises, defined as having an occupancy of between 100 and 300 persons, as determined by their occupancy permit; and
 - d. \$300.00 for each large commercial premises, defined as having an occupancy of over 300 persons, as determined by their occupancy permit.

Any modification of this fee shall be subject to prior approval of the incorporating municipalities of the Authority.

5. Each Premises is defined herein, for which there is an occupancy permit granted, and is in use, shall pay said Special Emergency Ambulance Service Fee. Said fee shall be paid in full no later than _____ for the year in which billed.
6. The Special Emergency Ambulance Service Fee shall be collected directly by the Ross/West View Emergency Medical Service Authority, or its agents, successors, or assigns. The actual title owner of an occupied premises on which the fee is due, shall be responsible to pay said fee within 30 days of the date due and owing. Otherwise, the title owner of the premises, as well as the actual occupant, shall be liable for legal interest, as well as subject to a lien on real property for municipal services, and/or enforcement of this Ordinance before the Magisterial District Judge. It shall be the responsibility of a landlord to distribute the fee to all of its tenants.

The failure to pay said fee for more than 30 days constitutes an offense punishable by a civil penalty of up to \$50.00 for each day of violation, plus costs, including attorney's fees necessary to enforce said Ordinance. This shall be enforced directly by the Ross/West View Emergency Medical Services Authority, or its agents, successors, or assigns. Any civil penalties, interest, costs, or attorney's fees collected as a result thereof, shall be paid to the Ross/West View Emergency Medical Services Authority.

ORDAINED AND ENACTED this 14th day of December, 2022.

Bruce A. Fromlak, Chief of Police
Borough Secretary/Manager

William Aguglia
Council President

EXAMINED and APPROVED as to form this 14th day of December, 2022.

J.R. Henry, Mayor