

**BOROUGH OF SUSQUEHANNA DEPOT
SUSQUEHANNA COUNTY
PENNSYLVANIA**

Ordinance No. 440

AN ORDINANCE OF THE BOROUGH OF SUSQUEHANNA DEPOT, COUNTY OF SUSQUEHANNA, STATE OF PENNSYLVANIA, AUTHORIZING THE SUSQUEHANNA VOLUNTEER FIRE DEPARTMENT COUNTY OF SUSQUEHANNA TO CHARGE AND RECOUP THE COSTS OF CERTAIN EMERGENCY RESCUE SERVICES, EQUIPMENT, AND TRAINING.

Be it ordained and enacted, and it is hereby ordained and enacted by the Borough of Susquehanna, County of Susquehanna, State of Pennsylvania, Ordinance No. 440 which reads as follows:

WHEREAS, the Borough of Susquehanna Depot has within its boundary the Susquehanna Volunteer Fire Department organization.

WHEREAS, The Borough of Susquehanna Depot financially supports the Susquehanna Volunteer Fire Department organizations providing services to the Borough of Susquehanna Depot; and

WHEREAS, the purchase of tools and equipment is expensive for the Susquehanna Volunteer Fire Department; and

WHEREAS, the Susquehanna Volunteer Fire Department organization have requested the Borough of Susquehanna Depot to enact an ordinance for recovery of the cost of said tools and equipment and the wear and tear upon such, for the cost of specialized training required for the use of such, and for the replacement of materials that are used from time to time; and

WHEREAS, insurance coverage often is available to effectuate the aforesaid cost recovery of the training, utilization of said tools, equipment and materials used by the Susquehanna Volunteer Fire Department organization; and

WHEREAS, the Borough of Susquehanna Depot believes it is in the best interests of its citizens and the Susquehanna Volunteer Fire Department organization to pass an ordinance for the above purposes of effecting said cost recoveries by the Susquehanna Volunteer Fire Department organization.

NOW, THEREFORE, the Council of the Borough of Susquehanna Depot, County of Susquehanna, Pennsylvania, enacts and ordains as follows:

Section 1. Definitions. As used herein, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

- A. Person: A natural person or individual, partnership, corporation, association, firm or any other legal entity.
- B. Borough of Susquehanna Depot, County of Susquehanna: The Borough of Susquehanna Depot, County of Susquehanna, of the State of Pennsylvania
- C. The Susquehanna Volunteer Fire Department Organization: Any and all persons providing emergency rescue services in the Borough of Susquehanna Depot, County of Susquehanna to any Borough and/or Township within the contracted fire protection area including but not limited to Borough of Lanesboro, Borough of Oakland, Township of Harmony, Township of Oakland, County of Susquehanna, and any other political subdivision where Rescue Services were provided by the Susquehanna Volunteer Fire Department under Mutual Aid, as well as resident or other person or property within the Borough of Susquehanna Depot, and/or Township within the contracted fire protection area including but not limited to Borough of Lanesboro, Borough of Oakland, Township of Harmony, Township of Oakland, County of Susquehanna, and any other political subdivision where Rescue Services were provided by the Susquehanna Volunteer Fire Department under Mutual Aid, or otherwise authorized by the Council of the Borough of Susquehanna Depot.

In this section, the singular shall include the plural, plural shall include the singular and each gender shall include all other genders

Section 2. Authorization of Services and Equipment. The Borough of Susquehanna Depot, of Susquehanna County authorizes all Susquehanna Volunteer Fire Department organization to unitize such tools, equipment or materials and provide fire fighting, ambulance or other emergency rescue services as authorized by law or the Borough of Susquehanna Depot, and/or Township within the contracted fire protection area including but not limited to Borough of Lanesboro, Borough of Oakland, Township of Harmony, Township of Oakland, County of Susquehanna, and any other political subdivision where Rescue Services were provided by the Susquehanna Volunteer Fire Department under Mutual Aid, for purposes of saving lives and property within the Borough of Susquehanna Depot, and/or Township within the contracted fire protection area including but not limited to Borough of Lanesboro, Borough of Oakland, Township of Harmony, Township of Oakland, County of Susquehanna, and any other political subdivision where Rescue Services were provided by the Susquehanna Volunteer Fire Department under Mutual Aid, to provide such materials and services as set out herein.

Section 3. Authorization to Recover Cost. The Susquehanna Volunteer Fire Department organization is authorized to effect the recovery of the costs of their respective services, tools, equipment and/or materials from any person for whom or for whose property such services were rendered or such tools, equipment or material were

used, and from any insurance carrier or person providing insurance covering such persons or property.

Section 4. Charges and Invoicing. The Susquehanna Volunteer Fire Department organization may charge and invoice (a) any insurance carrier or other person providing insurance covering any person, vehicle, structure, business (profit or nonprofit) or other property; or (b) any person for whom or for whose property and the Susquehanna Volunteer Fire Department organization performs services or utilizes tools, equipment or materials, for the costs of such services rendered unto or tools, equipment or materials used for such persons or their property.

Section 5. Schedule and Fees. The Council of Borough of Susquehanna Depot, County of Susquehanna, State of Pennsylvania may, by Resolution, from time to time, establish, revise, amend or rescind a schedule of fees for the services, tools, equipment and materials described herein.

Fee Schedule

Light Duty Rescue	\$ <u>350.00</u> to \$ <u>450.00</u>
Medium Duty Rescue	\$ <u>550.00</u> to \$ <u>650.00</u>
Heavy Duty Rescue	\$ <u>750.00</u> to \$ <u>850.00</u>
Technical Rescue	\$ 850.00 to \$1,200.00
Hazardous Material Response	\$1,000.00 to \$2,000.00

Response Fee does not include ancillary charges.

Estimated Fee Schedule increase 7-10% per year without a resolution or permission from the Borough of Susquehanna Depot Council.

Light Duty Rescue: Any rescue utilizing personnel and equipment in securing and protecting the scene. Services provided include the use of hand tools (ex. Cutting battery cables) absorbent material ("Speedi Dry", Cat Litter)

Medium Duty Rescue: Any rescue utilizing personnel equipment in securing and protecting the scene. Services provided include the use of hand tools, (ex. Cutting battery cables), absorbent material ("Speedi Dry", Cat Litter) Reflective or Combustible Warning devices. Warning signs, traffic control cones and stabilization of vehicle(s)

Heavy Duty Rescue: Any rescue utilizing personnel and equipment in securing and protecting the scene. Services provided include the use of hand tools (ex Cutting battery cables) absorbent material ("Speedi Dry", Cat Litter) Reflective or Combustible Warning devices, Warning signs, traffic control cones and stabilization of vehicle(s). As well as the use of Hydraulic, Pneumatic or Gas powered tools to free a victim(s) for entrapped state.

Technical Rescue: Technical Rescue includes but is not limited to Confined Space, Vertical or Search and Rescue situations.

Section 6. Enforcement. In the event that any insurance carrier or person fails to pay any invoice described herein within thirty (30) days of mailing or delivery of such invoice or notice of charges, the Susquehanna Volunteer Fire Department organization who mailed or delivered such invoice may recover and collect such charges and invoices from the insurance carrier or person to whom such invoice or notice of charges was given, together with interest, costs and attorney's fees, in any manner provided by law, including without limitation, a civil action at law.

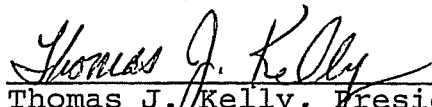
Section 7. Penalties and Remedies Not Mutually Exclusive. The remedies provided herein for the enforcement of this ordinance and all other remedies provided by law shall not be deemed mutually exclusive, rather, they may be employed simultaneously or consecutively, at the option of the Borough of Susquehanna Depot, County of Susquehanna, or the Susquehanna Volunteer Fire Department organization.

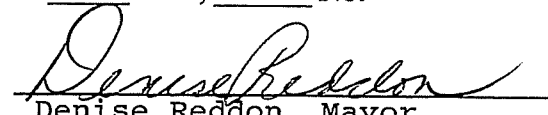
Section 8. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

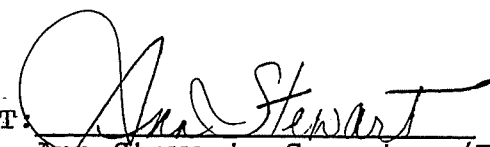
Section 9. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough of Susquehanna Depot, County of Susquehanna that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 10. Effective Date. This Ordinance shall become effective immediately upon adoption

ENACTED AND ORDAINED the 28th day of FEBRUARY, 2006 at the regular meeting of the Council of Borough of Susquehanna Depot of the Borough of Susquehanna Depot, County of Susquehanna by a vote of YES, No.


Thomas J. Kelly, President
Borough of Susquehanna Depot


Denise Reddon, Mayor
Borough of Susquehanna Depot

ATTEST: 
Ann Stewart, Secretary/Treasurer
Borough of Susquehanna Depot