

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TEXAS, AUTHORIZING THE CLARKSVILLE FIRE DEPARTMENT TO PROVIDE FOR THE COLLECTION OF FEES AND COSTS FOR EMERGENCY AND RESCUE SERVICES; PROVIDING REPEALINGS, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clarksville (the “City Council”) seeks to provide for the public health, safety, and welfare of its citizens; and

WHEREAS, the Fire Department (the “Department”) is equipped with and utilizes certain apparatus, emergency tools, equipment, and materials as a means of saving lives and property; and

WHEREAS, the City Council has determined that the Department should have the ability to recoup some of the costs incurred with the providing of fire protection, vehicular accident response, rescues, emergency medical, fire prevention and other emergency services; and

WHEREAS, the persons or entities who received or otherwise benefitted from the emergency services provided by the Department, and for whom the referenced apparatus tools, equipment, and materials have been utilized, should reimburse the Department a portion of the costs associated with the use, loss, damage, and wear and tear to said apparatus, tools, equipment, and materials incurred in connection with the act of rendering emergency services to said persons or entities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLARKSVILLE, RED RIVER COUNTY, TEXAS:

SECTION 1: FINDINGS INCORPORATED.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: AUTHORITY.

The City of Clarksville hereby authorizes the Fire Department to bill persons and entities, including insurance companies that provide insurance coverage to said persons and entities, for the reasonable fees and costs that are related to the use, loss, damage, and wear and tear to said apparatus, tools, equipment, and materials necessary to provide the fire protection and emergency services rendered to said persons and entities in accordance with the Fee Schedule attached hereto as Exhibit A and made part hereof for all purposes, the same as if fully copied herein. That such fees and costs are subject to the exemptions and limitations set forth in this Ordinance.

SECTION 3: FEES.

Fees may be collected for services provided by the Department both inside and outside the City Limits of the City of Clarksville in accordance with this Ordinance. Such fees collected shall be deposited

in the reserve operating fund for the Fire Department. Applicable incident report information shall be utilized and forwarded to the Department's authorized agent for the collection of fees. The Department or its authorized agent shall submit an invoice to the person, entity, or relevant insurance company covering the particular loss, for the emergency services rendered. If it can be reliably determined that there is no insurance coverage for a particular emergency call, which causes the Department to use or incur loss, damage, and wear and tear to apparatus, tools, equipment, and materials, the Department may collect such fees from the person or entity that received said emergency services or the person or entity responsible for the debts and obligations of the person or entity that received or benefited from such emergency services.

SECTION 4: SEVERABILITY.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Clarksville hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

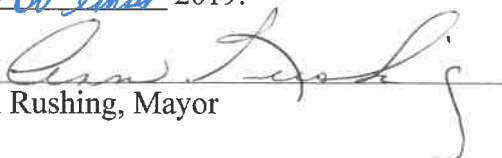
SECTION 5: SAVINGS/REPEALING CLAUSE.

The Clarksville Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed or amended ordinance, nor shall the repeal or amendment prevent a prosecution from being commenced for any violation if occurring prior to the repeal or amendment of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

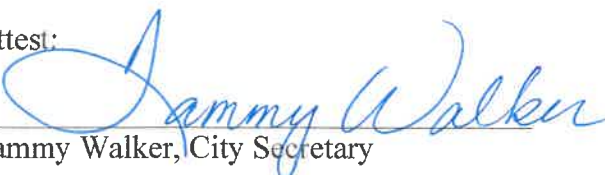
SECTION 6: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TEXAS on this 19 day of November 2019.


Ann Rushing, Mayor

Attest:


Tammy Walker, City Secretary

**Exhibit A
Fee Rate Comparison**

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Fire Dept Fees			
	Fire Inspection	\$ 150.00	each
	SM Nursing Home/Long Term Care	\$ 50.00	each
	SM Daycare/Mother's Day Out	\$ 50.00	each
	SM Foster/Adoptive Home	\$ 10.00	each
	SM Home Inspections (Insurance Purp)	\$ 25.00	each
	Reinspection Fee	\$ 50.00	each
	Dispatch Fee	\$ 80.00	per incident
Apparatus			
	Brush Truck	\$ 325.00	per truck per hour
	Chief Vehicle	\$ 150.00	per hour
	Class A Pumper	\$ 450.00	per truck per hour
	Heavy Rescue Truck	\$ 500.00	per truck per hour
	Medical Response Vehicle	\$ 150.00	per truck per hour
	Rehab	\$ 75.00	per hour
	Tanker Apparatus	\$ 350.00	per truck per hour
Personnel			
	Fire Inspector		
	Fire Investigator	\$ 75.00	per hour
	Haz-Mat Awareness	\$ 25.00	per hour
	Haz Mat Operations	\$ 35.00	per hour
	Haz Mat Tech	\$ 40.00	per hour
Haz-Mat			
	Absorbent	\$ 17.00	per bag
	Barricade Tape	\$ 20.00	per roll
	Broom	\$ 20.00	each
	Disposable Coveralls	\$ 20.00	each
	Disposable Goggles	\$ 10.00	each
	Drum Liner	\$ 8.00	each
	Latex Gloves	\$ 5.00	per pair
	Lite-Dri	\$ 20.00	per 50lb bag
	Plug and Patch Kit	\$ 30.00	each
	Poly Sheeting	\$ 50.00	per roll
	Scovel	\$ 50.00	each
	Top-Soil	\$ 30.00	per bag
Protective Equipment			
	Bunker Coat		each
	Bunker Pants		each
	FF Boots		per pair
	FF Gloves		per pair
	Helmet		each
	Nomex Hood		each
	Complete Set	\$ 200.00	per person
Firefighting Agents			
	AFFF Foam	\$ 75.00	per 5 gallon
	Class A Foam	\$ 50.00	per 5 gallon
	Light Water	\$ 20.00	per gallon
	Micro-Blaze	\$ 30.00	per gallon
Emergency Medical Services			
	Flat Rate	\$ 200.00	each patient
	Spinal Immobilization	\$ 300.00	per incident
Firefighting Equipment Replacement			
	A-Frame Combo Ladder	\$ 75.00	each
	Attic Folding Ladder 10'	\$ 25.00	each
	Attic Folding Ladder 8'	\$ 25.00	each

**Exhibit A
Fee Rate Comparison**

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	Deluge Monitor W/O Pie & Tips	\$ 125.00	per hour
	Extension Ladder 24'	\$ 75.00	each
	Extension Ladder 35'	\$ 150.00	each
	Foam Aerator Tube	\$ 85.00	each
	Fog Nozzle 1.0"	\$ 45.00	per hour
	Fog Nozzle 1.5-1.75"	\$ 55.00	per hour
	Fog Nozzle 2.5"	\$ 85.00	per hour
	Fog Nozzle Master	\$ 85.00	per hour
	Fog Nozzle 2.5" Play Pipe	\$ 35.00	per hour
	Hose 1.0"	\$ 25.00	per 50' per hour
	Hose 1.0" Booster	\$ 25.00	per 50' per hour
	Hose 1.5" - 1.75"	\$ 30.00	per 50' hour
	Hose 2.5"	\$ 40.00	per 50' hour
	Hose 3.0"	\$ 50.00	per 50' per hour
	Motorola Portable Radio 800MHz	\$ 15.00	each
	Motorola Portable Radio VHF	\$ 15.00	each
	PASS Alarm	\$ 10.00	each
	Roof Ladder 12'	\$ 25.00	each
	Roof Ladder 14'	\$ 35.00	each
	SCBA Air Mask Complete	\$ 50.00	each
	SCBA Spare Cylinders	\$ 25.00	each
	Stacked Tips w/shaper	\$ 125.00	each
Rescue Equipment Used			
	Air Bags	\$ 85.00	per hour
	Air Impact Tools	\$ 85.00	per tool
	Ajax Cutting tool	\$ 75.00	per tool
	Milwaukee Saws-All	\$ 65.00	per hour
	Oxygen with Mask	\$ 25.00	per hour
	Porta Power	\$ 85.00	per hour
	Rescue Tools - Spreaders, Cutters, Ram	\$ 85.00	per hour
Fire Equipment Used			
	ABC Extinguisher	\$ 60.00	each
	Axe(s)	\$ 20.00	per hour
	Barricade/Scene Tape	\$ 20.00	per roll
	Bolt Cutters (HD)	\$ 12.00	per hour
	Cellular Phone Long Distance Chg	\$ 25.00	per call
	Chain Saw	\$ 40.00	per hour
	Pole Saw	\$ 40.00	per hour
	CO2 Extinguisher	\$ 55.00	each
	Explosive Meter	\$ 180.00	per hour
	Gas Pump/Gasoline Plug Kit	\$ 45.00	per kit
	Generator	\$ 45.00	per hour
	Hall Runner	\$ 15.00	each
	Halligan Tool	\$ 12.00	per hour
	Hand Lights	\$ 15.00	each
	K-Tool	\$ 20.00	per hour
	PPV Fans	\$ 50.00	per hour
	Purple K Extinguisher	\$ 75.00	each
	Rescue (K-12) Saw	\$ 40.00	per hour
	Roll of Plastic	\$ 30.00	each
	Salvage Covers	\$ 25.00	each
	Scene Lights	\$ 32.00	per hour
	Tank, Portable/Fold-a-tank	\$ 150.00	per hour
	Water Extinguisher	\$ 15.00	each
	Windshield Tool	\$ 10.00	per use

**Exhibit A
Fee Rate Comparison**

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The following Fire/EMS fees are assessed and may be recovered by a loss recovery contractor as provided by Ordinance 2020-07		
Motor Vehicle Incidents		
Level 1	\$ 435.00	Provides hazardous materials and scene stabilization. This will be the most common "billing level". This occurs almost every time the Fire Department responds to an accident/incident.
Level 2	\$ 495.00	Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. Billed at this level the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.
Level 3 - Car Fire	\$ 605.00	Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.
Level 4	\$ 1,800.00	Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing, etc.). Billed at this level if the fire department has to free/remove anyone from the vehicle(s) using any equipment. Will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. The level is to be billed only if equipment is deployed.
Level 5	\$ 2,200.00	Level 1, 2 & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). Billed at this level anytime a helicopter is utilized for transporting the patient(s)
Level 6	Itemized	The city has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.
Hazmat		
Level 1	\$ 700.00	Basic Response Claim will include engine response, first responder assignment, perimeter established, evacuations, set up and command
Level 2	\$ 2,500.00	Intermediate Response Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set up and command, Level A and B suit donning, breathing air and detection equipment. Set up and removal decon center
Level 3	\$ 5,900.00	Advanced Response. Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set up and command, Level A or B suit donning, breathing air, detection equipment and robot deployment. Set up and removal of decon center, detection equipment recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of materials and containment equipment and material used at scene. Includes 3 hours of on-scene time, each additional hour @ \$300.00/Hazmat Team.
Pipeline/Powerline Incidents		
Level 1	\$ 400.00	Basic Response. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.
Level 2	\$ 1,000.00	Intermediate Response. Claim will include engine response, first responder assignment and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include Hazmat team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.
Level 3	Itemized	Advance Response. Claim will include engine response, first responder assignment and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include Hazmat team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair to intermediate to major pipeline damage. May include set-up and removal of decon center, detection, recovery, and identification of material. Disposal and environmental cleanup
Fire Investigation		

**Exhibit A
Fee Rate Comparison**

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	Fire Investigation Team	\$ 275.00	per hour. The claim begins when the Fire Investigator responds to the incident and is billed for logged time only. Includes scene safety, investigation, source identification, K-9/Arson dog unit, identification equipment, mobile detection unit, and fire report.
Fires			
	Assignment	\$ 400.00	per hour per engine
	Assignment, scene safety, Investigation, Fire/Hazard Control	\$ 500.00	per hour per truck
Water Incidents			
	Level 1	\$ 400.00	+\$50 hour per rescue person. Basic Response. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation. This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.
	Level 2	\$ 800.00	+\$50 hour per rescue person. Intermediate Response. Includes Level 1 services as well as clean up and material used (sorbent), minor hazardous clean up and disposal. The city will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.
	Level 3	\$ 2,000.00	+\$50 hr per rescue person +\$100 hour per Hazmat team member. Advance Response. Includes levels 1 & 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contamination equipment and material used at scene.
	Level 4	Itemized	Itemized Response. The City has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary, and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.
Back County or Special Rescue			
	Minimum	\$ 400.00	for first response vehicle
		\$ 50.00	per rescue person
	Additional	\$ 400.00	per hour per response
		\$ 50.00	per hour per rescue person
	Itemized Response	Itemized	each incident will be billed with custom mitigation rates deemed usual, customary, and reasonable (UCR). These incidents will be billed itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.