

State of South Carolina}
County of Pickens}
City of Pickens}

Ordinance Number 2020-10

**AN ORDINANCE PROVIDING FOR THE RECOVERY OF COSTS BY FEES FOR THE
USE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES OF THE
CITY OF PICKENS**

WHEREAS, the City of Pickens Fire Department is authorized to provide emergency response relating to the protection of lives and property within the fire district boundaries; and

WHEREAS, the City of Pickens provided services to its citizens through property tax revenue and fixed fire fees on improved real property; and,

WHEREAS, the emergency services response activity to incidents continues to increase each year; and,

WHEREAS, Section 6-1-330 of the Code of Laws of South Carolina provide authority for a local governing body to adopt service or user fees; and,

WHEREAS, Section 5-7-60 of the Code of Laws of South Carolina authorizes a municipality to perform many of its functions and provide many of its services in areas outside the corporate limits by contract and to make charges therefore; and,

WHEREAS, Section 4-21-10 of the Code of Laws of South Carolina provides authority for a governing body of a county to provide fire protection and ambulance services by contract with municipalities and for the charging of a service fee for services; and,

WHEREAS, it is fiscally prudent and advisable to charge a fee for response services including, but not limited to, emergency management services, motor vehicle accidents, collisions, motor vehicle fires, motor vehicle extrications, hazardous materials spills or discharge, hazardous material mitigation, emergency medical care, or other fire department services (hereinafter "Emergency Response Services"); and,

WHEREAS, it will be cost effective to utilize a third-party Fire/EMS billing service to bill and collect for fees associated with Emergency Response Services and such contract should be employed; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Pickens, that:

Section 1. Short Title.

This ordinance shall be known and may be cited as the City of Pickens Emergency Services Cost Recovery Ordinance.

Section 2. General Purpose

This Ordinance is adopted in order to provide reimbursement to the City of Pickens for costs incurred by the city for certain emergency services.

Section 3. Fee Collection Authorized

The owner, lessee, or occupant of a vehicle, trailer, etc. that is at fault in causing an accident or incident, or the insurance provider of said at-fault owner, lessee, or occupant of a vehicle, trailer, etc. including, but not limited to, companies and individuals in the business of transporting and handling hazardous materials or other materials requiring cleanup assistance to which the fire department provides Emergency Response Services shall pay the cost of such service pursuant to the Cost Recovery Fees set forth in Exhibit A attached hereto, which are based upon the actual cost of the Emergency Response Services. The fees enacted herein apply to any services rendered by the Pickens Fire Department, whether within the city or if requested by any other entity, or if supplied by the Pickens Fire Department pursuant to any intergovernmental cooperation agreement.

Section 4. Fees and Charges

The cost recovery fees will be collected in the amounts found in Exhibit A of this ordinance, which may be revised periodically by the adoption of a resolution by the city council based upon the actual costs of Emergency Response Services.

Section 5. Severability

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, or in any exception to or limitation upon any provision contained herein be held to be unconstitutional, invalid or ineffective, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect, and to this end, the provisions of this ordinance are declared to be severable.

Section 6. Repealer

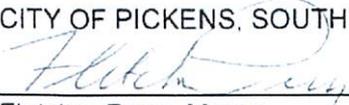
All Ordinances and parts of Ordinances that are in conflict with this Ordinance are hereby repealed.

Section 7.

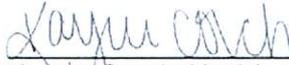
This Ordinance shall take effect immediately after its adoption.

I DONE, RATIFIED, AND PASSED THIS 14th DAY OF September, 2020.

CITY OF PICKENS, SOUTH CAROLINA


Fletcher Perry, Mayor

ATTEST:


Kaycee Couch, Municipal Clerk

Introduced by: _____

First Reading: AUGUST 17, 2020

Second Reading: September 14, 2020

Approved as to form: 
Daniel R. Hughes, City Attorney

EXHIBIT A

All incidents will be billed using "hourly" rate per apparatus. Elapsed time is from Alarm to Last Equipment Clear or In Quarters or In Service , whichever is later, and rounded up to the nearest hour. There will be additional itemization for materials consumed and any special procedure costs that you provide. (Note: We will substitute the flat rate for the hourly rate for any incident that does not meet the minimum flat rate requirements. Additional line itemizations i.e. Consumable Materials/damaged equipment costs will not be affected by the hourly rate or flat rate determinations). All hourly rates include the personnel to man the apparatus, as does the flat rate.

Heavy Apparatus - \$305 per hour (Includes engines, aerials, rescues, air/light units, etc.)

Light Apparatus - \$225 per hour (Includes brush units, support vehicles, etc.)

Command Staff Vehicles - \$195 per hour (Battalion buggies, EMS Supervisors, etc.)

Additional Procedural and Materials/Equipment Line Itemization:

Extrication (without use of hydraulic tools) - \$835

Extrication (with use of hydraulic tools) - \$2,015

Extrication with the use of hydraulic tools and with Landing Zone

Landing Zone command and control (with extrication use of hydraulics) - \$2335

**Landing zone command and control (with extrication services w/o hydraulics)–
\$1025**

Landing zone command and control (without extrication services) \$900

Light Tower - \$47 per hour (Operation of Light tower and generator to provide scene lighting).

Consumable Materials/Damaged Equipment – at replacement cost / (adheres to average costing which may be updated periodically per market increases. A current rate sheet must be supplied)

FLAT RATES: (minimum if combined hourly rates per apparatus do not meet minimum rates below)

Level 1/MVA FLAT RATE - \$535.00

Scene safety & Hazard control including hazard assessment & securing including containment of hazard Materials (i.e. hazardous material spills such as gasoline/diesel fuel, motor oil, coolant or antifreeze) which may be flammable,

dangerous to the environment, or cause other hazards such as slippery conditions, debris cleanup from roadway, vehicle systems safety assurance (i.e. disable potential ignition sources such as electrical/power supply systems), fire suppression stand-by, perimeter command and control, to protect involved parties, non-involved parties establishing a safe environment for mitigating damages and injuries & to protect the safety and welfare of the General Public, until scene has been secured of all hazards

Vehicle: Fire/Hazmat Flat Rate - \$600