

Town of Chelsea, Maine

**FIRE DEPARTMENT SERVICE BILLING
ORDINANCE**

Town of Chelsea, Maine

FIRE DEPARTMENT SERVICE BILLING ORDINANCE

Section 1: Statement of Purpose:

The Town of Chelsea is engaged in providing fire suppression, fire rescue and fire safety services and is organized as a municipality under the laws of the State of Maine; and in consideration of services rendered hereby desires to set the following billing policy for Fire Department Services. This ordinance is adopted pursuant to municipal home rule ordinance authority and Title 30-A MRS.A, § 3001.

Section 2: Definition of Services:

The Town of Chelsea may seek payment for the cost of services provided by the Town of Chelsea Fire Department. Services the Town of Chelsea may seek payment for include, but are not limited to:

- A - Scene and safety control at traffic accidents;
- B –Disentanglement operations and assist rescue with Extrication from vehicles;
- C - Fluid mitigation at traffic accidents;
- D - Vehicle Fire;
- E - Hazard Mitigation Operations;
- F – False Alarm Response

Section 3: Fees for Services:

Upon adoption of this Ordinance, the Board of Selectmen in there expressed authority shall be authorized to review and set the fees as they deem in the best interest of the Town of Chelsea.

Section 4: Explanation of Charges:

- A - Command & Control Scene Safety:

Positioning of fire apparatus and personnel so as to protect the scene from other traffic and deny entry into the scene of unauthorized personnel. Police can the move traffic around the area the fire department has deemed as the safe zone for the occupants of the vehicles and the rescuers on the scene. Safely staging other incoming agencies responding to this incident and may also include a pulled hose line for protection of people on scene from possible fires and fumes or residue from such things as gasoline and air bag propellants. The most important function is establishing incident command

of the scene, which is the fire departments responsibility at emergency incidents of this nature, and to coordinate with other responding agencies for their needs at the scene. Patient care is the responsibility of Emergency Medical Service personnel, but assistance may be requested by the EMS personnel.

B - Disentanglement / Extrication:

Anytime a person has to be lifted or taken out of an emergency situation or forcible entry is necessary to gain proper access to victims the fire department will assist ambulance or EMS (Emergency Medical Services) personnel in a coordinated effort on their own. This could include, but is not limited to: car accidents, industrial accidents, confined spaces, below grade rescues, or even high angle rescues to name just a few. Ropes, ladder devices, air monitoring equipment, self contained breathing apparatus, hydraulic equipment, shoring, saws, cribbing, air bags are just a few of the types of equipment used in extrication issues.

C - Fire Suppression:

Fire suppression at a traffic accident is any time fire department personnel have to contain or extinguish a fire. It can also be the laying of hose lines and positioning a hand line for the protection of individuals at the scene because of fire, smoke, or leaking fluids, such as gasoline.

D - Hazard Mitigation:

Any time fire department personnel have to deal with any hazardous substances via containment or absorption with pads for carbon-based substances like gas or oil, or removal via pads and sand or other means permitted by the DEP (Department of Environmental Protection). This could be a car accident, trucking accident or a fixed facility. The mitigation of all hazardous material and substances is done in conjunction with the DEP.

E – False Alarm Response:

Any time fire department personnel respond to an alarm when there is no actual emergency or no other circumstances requiring response from the Chelsea Fire Department; it shall include, but shall not be limited to, false alarms caused by malfunctioning equipment, accidental or negligent activation of the alarm, or improperly monitored equipment. In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control (i.e. disruption of the electrical service due to storm, motor vehicle accident, and the like); no fee shall be imposed at the discretion of the Fire Chief or their designee. It shall be the burden of the alarm user to demonstrate to the satisfaction of the Fire Chief or their designee that a false alarm was the result of such extraordinary cause.

Section 5: Billing Procedure:

- 1 - First billing on or about the 15th of each month for all reports submitted for billing in the prior 30-day period.
 - a) Terms 30 days; with same billing to all parties involved in the same accident;
- 2 - Second Notice, if invoice has not been settled in 60 days.
- 3 - 90 day notice sent by certified mail.
- 4 - Collection Agency to be contacted after 120 days.

Section 6: Consideration for Write Off:

- 1 - When the claim was not paid with a valid reason (insured not at fault, not covered)
- 2 - Not covered and failed to pay after 60-day notice.
- 3 - If all attempts to contact insurance companies and /or individuals failed by any common method available listed above.
- 4 - For every new alarm system, the Fire Department shall allow a grace period of 30-days during which no fees shall be levied, and the false alarms registered during this period shall no be counted towards the response under this Ordinance

Section 7: Appeals:

The person, business or designated agent may appeal, in writing, the imposition of the false alarm fee to the Fire Chief or their designee, who may abate or reduce the fee upon good cause shown. It is up to the appellant/alarm company to show cause for such and appeal. The decision of the Fire Chief or their designee shall be final except that an aggrieved party may appeal a final decision to the Chelsea Appeals Board. Any such appeal must be filed in writing, with the Chelsea Board of Appeals no later than 30 days after the date of the notice of the false alarm fee. The Board of Appeals will act on the request within 30-days of receipt of the appeal.

The Fire Department shall maintain a database containing a record of outstanding false alarm fees, organized by address and name.

Section 8: Administration and Enforcement:

It will be the duty of the Town Clerk and the Town Manager, working with the Fire Chief, to effectively pursue the requirements of this Ordinance for payment of services rendered by the Fire Department as specifically outlined above.

Section 9: Effective Date:

This ordinance shall take effect upon adoption by Chelsea voters.

Section 10: Validity and Severability:

If any section or provision of this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

Section 11: Conflict with Other Ordinances:

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, by law, permit, or provision of law. Where this Ordinance imposes a greater restriction upon the use of Fire Department Services, the provisions of this Ordinance shall control.

Section 12: Repeal and Replace of Prior Ordinance

Upon enactment of this Ordinance, the Fire Department Service Billing Ordinance adopted on July 11, 2015 shall automatically be repealed.

Appendix A

As of November 3, 2020

**FEES ESTABLISHED BY THE BOARD OF SELECTMEN
Per Section 3 of the Fire Department Service Billing Ordinance**

		Proposed
Hourly rate for Engine Trucks:	\$150.00/hr*	_____
Hourly rate for Squad Truck:	\$150.00/hr*	_____

*The minimum call out fee for rolling to a scene when toned out shall be \$300.00.

First False Alarm	\$0	_____
Second False Alarm	\$50	_____
Third False Alarm	\$75	_____
Fourth and each additional False Alarm	\$125	_____

For the purposes of this section, the number of false alarms shall be based upon the calendar year and shall be recalculated annually