

3 of 2008

AN ORDINANCE OF WEST WYOMING BOROUGH AUTHORIZING THE WEST WYOMING FIRE COMPANIES (HOSE COMPANIES) AND COMMUNITY AMBULANCE ASSOCIATION TO CHARGE THE COST OF CERTAIN EMERGENCY AND RESCUE SERVICES WITHIN THE RESPONSE AREA OF THE WEST WYOMING FIRE DEPARTMENTS AND AMBULANCE ASSOCIATION

Whereas, the West Wyoming Borough Council recognizes the services provided by West Wyoming Hose Companies and Community Ambulance Association providing fire suppression, emergency, and rescue services in and around the Borough of West Wyoming.

Whereas, The West Wyoming Hose Companies and West Wyoming Community Ambulance Associations are equipped with and utilize certain apparatus, emergency tools, equipment and materials as a means of saving lives and property; AND

Whereas, the purchase of said tools, equipment, and materials is a significant expense for the West Wyoming Borough and its Hose Companies and Ambulance Association; AND

Whereas, West Wyoming Borough Council desires to effectuate a revenue recovery plan through which beneficiaries of the services of the Fire and Ambulance companies are required to pay a fair and reasonable share of the cost of loss and wear and tear to apparatus, tools, equipment and materials used and the cost of the specialized training provided to the firefighters and emergency medical providers in the use of such tools, equipment and materials so that a safe and appropriate level of services can be available to the Borough of West Wyoming.

Whereas, frequently, persons or entities requiring the emergency services of the fire (hose) companies and the ambulance association and for whom the apparatus, tools, equipment, and materials have been utilized have insurance to cover costs associated with the act of rendering emergency services to said persons or entities.

Now, therefore be it ordained and enacted by the Council for the Borough of West Wyoming:

Section 1:

The Borough of West Wyoming recognizes and supports the right of the West Wyoming Hose Companies and the Community Ambulance Association to bill persons and entities, including insurance companies providing coverage to said persons and entities, including insurance companies providing coverage to said persons and entities for the reasonable costs that are related to the loss, damage, and wear to apparatus, tools, equipment and materials necessary to provide the emergency services rendered to said persons and entities.

Section 2:

Fees shall be collected for services provided inside the boundaries of West Wyoming Borough as well as those provide outside the Borough Limits of West Wyoming. Both Fire and Ambulance groups shall utilities applicable incident reports information that will be forewarned to the fire and ambulance companies' authorized agents for the collection of these fees.

Section 3.

The West Wyoming Ambulance and West Wyoming Fire (Hose) Companies, or their authorized agents, shall submit invoices to the relevant insurance company covering the particular loss that is related to the emergency services rendered. If fit can be reliably determined that there is no insurance coverage for a particular loss which causes the fire department to incur loss, damage, and wear and tear to apparatus,

tools, equipment, and materials , then the West Wyoming Fire Companies and Ambulance Association may hold responsible the person or entity that received said emergency services.

Section 4:

Residents of the borough of West Wyoming who have no insurance coverage for the incident connected to receiving emergency services rendered by the West Wyoming Hose Companies and the Community Ambulance Association are hereby exempted from the service charges contained herein, unless it is determined that the emergency services were connected to negligent and /or malicious act(s) on the part of said persons. Any commercially owned, operated, or zoned property shall not be eligible for said exemption listed in this section(4).

Section 5:

Calls for service at residential structure "single family residence" fires within the limits of Borough of West Wyoming shall not be subject to any of the fire department service charges contained herein, unless it is determined that the emergency services rendered were connected to negligent and /or malicious act(s) on the part of the property owners. First Responder/Medical Assist calls to a residence, i.e., not involving a motor vehicle, within the limits of the Borough of West Wyoming are hereby exempt from the service charges contained herein unless it is determined that the emergency services were connected to negligent and/or malicious act(s) on the part of persons receiving the treatment.

Section 6:

The provisions of this ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provision shall be unaffected thereby

Section 7:

All ordinances or parts of ordinances in conflict herewith are and the same are hereby repealed.

Passed by West Wyoming Borough Council on 14th day of JULY, 2008 and signed by the Mayor on the 14th day of JULY, 2008.

Daniel Rescavage

President of Council

Joseph A. Hubert

Mayor

Attest:

Thomas C. Patten
Borough Secretary

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