

CHAPTER 9: FIRE DEPARTMENT

- 9.01 Adoption of State Laws
- 9.02 Fire Department Call Billing Procedures
- 9.03 Main Street Special Fire Zone

9.01 ADOPTION OF STATE LAWS

All Minnesota State laws pertaining to the creation and operations of Volunteer Fire Departments and Fire Relief Associations are hereby adopted by reference.

9.02 FIRE DEPARTMENT CALL BILLING PROCEDURES

A. YEARLY RATE ADJUSTMENT: The City Council, with the advice and recommendation of the Arlington Fire Department, shall review and set the Arlington Fire Department emergency call charges each calendar year, at the second council meeting in December for the following year. If the council takes no action to change the fees set out in this ordinance, said fees shall remain the same as set out herein.

B. STANDARD FIRE CALLS: The standard fire call charge shall include all time up to the first two hours spent on the call. The fee shall be set by City resolution, and a schedule of such fees shall be on file and available in the office of the City Administrator during normal business hours. The charge for any call exceeding two hours shall reflect a higher rate and is set by the City Council. The call time shall be calculated from the time the first fire department vehicle departs from the fire station, to the time the last fire department vehicle departs the site of the fire. A fuel surcharge shall be assessed to the standard fire call charge.

C. SUPPLIES COST: In addition to the basic fire call charge, the fire department shall be reimbursed its supply replacement cost for foam used, plus reimbursement for the fire department cost of any other supplies or materials expended in fighting the fire. A minimum charge for foam will be assessed for use up to one gallon; applicable supply replacement cost to be assessed for each gallon used thereafter.

D. HAZARDOUS MATERIAL: If it is determined any hazardous material is present at the site of a fire call, which will require special procedures and handling, a minimum charge will be applied to the call, regardless of the time spent on the call. The fee shall be set by City resolution, and a schedule of such fees shall be on file and available in the office of the City Administrator during normal business hours. The fire department, in its discretion, may bill more than the minimum charge, depending on the time and supplies devoted to the call because of the presence of said hazardous materials.

E. **AMBULANCE CHARGE:** An ambulance will routinely be requested at the site of any structure fire for fire fighter protection. The ambulance call will be separately billed by the ambulance service, which said charge shall be separate and in addition to any fire department charges.

F. **MUTUAL AID CALLS:** Arlington Fire Department calls in response to a mutual aid request from another community with which we have a mutual aid agreement shall be at no charge to the requesting community. However, any costs of supplies expended by the Arlington Fire Department in responding to said mutual aid call shall be reimbursed by the community requesting assistance. Likewise, the fire departments of other communities responding to an Arlington Fire Department request for assistance shall only be reimbursed for costs of supplies expended, and not paid any call fees for such assistance. Any costs of supplies paid by the Arlington Fire Department to another community department in such case shall be passed on to the emergency call property owner.

G. **ACCIDENT CALLS:** The Arlington Fire Department charge for responding to accidents not related to fires, to include but not limited to motor vehicle accidents, are established as follows:

(1) The Arlington Fire Department should not be dispatched by the Sheriff's Office or other law enforcement agency or ambulance service to simply perform traffic control. In the case that they are, no charge should be applied to any party involved in the accident. For any accident call dispatched by the Sheriff's Office or other law enforcement agency or ambulance service, as a result of which the Fire Department is needed, a standard accident call charge to include all time up to the first hour spent on the call, shall be charged at the discretion of the officer in charge and at a fee established by resolution. An hourly fee, as established by resolution, will be charged, for each additional hour spent on the call. Accident call charges shall be charged to each party involved in the accident. A fuel surcharge shall also be assessed to the accident call.

(2) If the accident involves motor vehicles, the above stated charges shall be applied to each vehicle operator, but not to vehicle passengers.

(3) If the accident involves motor vehicles, and one or more of the vehicles was a parked and stationary vehicle, the parked and stationary vehicle owner or operator shall be not be charged a service call. Only the vehicle or vehicles in motion at the time of the accident shall be charged the service call charge.

H. **FALSE ALARMS:** Any person, defined as any individual, or any business entity or corporation or any agents or employees thereof, shall be allowed two free false alarm responses per calendar year, if said false alarms are given in the reasonable and good faith belief that an emergency does exist. At the discretion of the Fire Chief, a third false alarm in a calendar year from the same person, including the same business entity or corporation or any agents or employees thereof, shall incur a flat charge, as established by resolution, for the call. Any person, to include any business entity or corporation or any agents or employees thereof, who makes a

false alarm in bad faith, meaning they knew or should have known that the alarm was false, shall be charged a flat call charge in all cases.

I. **NON-EMERGENCY ACTIVITY:** The City Council, at the recommendation of the fire department, shall have the discretion to charge an appropriate fee, to the property owner for fire department assistance provided in non-emergency situations. This may include, but is not limited to, disaster site cleanup, securing area around hospital helipad, protective sandbagging during flood alerts, and hosing down construction or demolition sites to avoid excessive dust or air pollution.

J. **SEVERE WEATHER WATCH:** Fire department personnel shall conduct a severe weather watch as appropriate at no charge to the community or to any individual property owners.

K. **OTHER ENTITY CHARGES:** If the fire department deems it appropriate, it may call in assistance from other government agencies or private entities, to provide personnel, expertise or equipment the fire department determines in its own discretion is needed to respond adequately to an emergency. The City Council, at the recommendation of the fire department, shall have the right to pass on to the emergency call property owner any fees or costs charged by such other government agency or private entity for their assistance.

L. **COLLECTION PROCEDURE:** Any fees billed to a property owner under this ordinance shall be payable within 60 days after billing. If unpaid within said 60 day term, the unpaid balance shall accrue interest at a rate to be set by the City Council, at the time of the yearly rate adjustment set out at Section 1 above. Any accounts remaining unpaid after 90 days shall be subject to legal collection action, to include but not limited to assessment against the property which was the site of the emergency, to be billed as part of the real estate tax payable in the calendar year following the date of the emergency call.

9.03 MAIN STREET SPECIAL FIRE ZONE

A. The special fire zone of the City of Arlington shall consist of the following areas:

The South Half of Blocks 12, 13, 14 and 15, City of Arlington.

The North Half of Block 17, City of Arlington.

The North Half of Blocks 1, 2 and 5, Frenzel's Addition to City of Arlington.

B. No building or structure or part thereof may be built or moved into the special fire zone unless it conforms to the building material combustibility standards and other rules as set out for retail commercial buildings under the Uniform Building Code as adopted by the State of Minnesota.

C. No existing building or structure in the special fire zone which does not conform to the standards of this ordinance shall be rebuilt if damaged by any cause to the extent of fifty percent or more of the market value of said building or structure, as determined by the County Assessor, unless the repaired property conforms fully with this ordinance.

D. Any person or entity found to be in violation of this Section 9.03 shall be subject to the penalties set out in State law for a misdemeanor. Each day that the property remains in violation of this ordinance after notification of the property owner by the City shall be considered a separate misdemeanor.