

## **ORDINANCE 257**

### **AN ORDINANCE ESTABLISHING ARLINGTON FIRE DEPARTMENT FIRE CALL BILLING PROCEDURES**

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

Section 1. **AMENDMENT:** This ordinance amends and supersedes Ordinance 189, 191 and all other ordinances not in conformance with this ordinance.

Section 2. **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 January for that 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.

Section 3. **STANDARD FIRE CALLS:** The standard fire call charge shall be \$500.00 to include all time up to the first two hours spent on the call. The charge shall be \$1,000.00 for any call exceeding two hours. 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.

Section 4. **SUPPLIES COST:** In addition to the basic fire call charge, the fire department shall be reimbursed its supply replacement cost for every 5 gallons of foam used, plus reimbursement for the fire department cost of any other supplies or materials expended in fighting the fire.

Section 5. **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 \$1,000.00 charge will be applied to the call, regardless of the time spent on the call. The fire department, in its discretion, may bill more than \$1,000.00, depending on the time and supplies devoted to the call because of the presence of said hazardous materials.

Section 6. **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.

Section 7. **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.

Section 8. 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:

- A. 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 for precautionary measures, a \$150.00 shall be charged to each party involved in the accident. If services are performed at the accident scene, excluding traffic control, the charge shall be \$350 plus fuel to each party involved in the accident.
- B. If the accident involves motor vehicles, the above stated charges shall be applied to each vehicle operator, but not to vehicle passengers.
- C. 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.

Section 9. 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. 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 of \$300.00 for the call, regardless of whether the said third false alarm is in good faith or not. 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 of \$300.00 in all cases.

Section 10. 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, protective sandbagging during flood alerts, and hosing down construction or demolition sites to avoid excessive dust or air pollution.

Section 11. 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.

Section 12. 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.

Section 13. 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.

This ordinance shall become effective immediately upon publication.

For City of Arlington:

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By James R. Kreft  
It's Mayor

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By Matthew Jaunich  
It's Administrator

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Second Reading: May 16, 2011  
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