

## **RESOLUTION NO: 660**

RENAMING TO ORDINANCE NO. 660

**AN RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY SERVICES BY THE POLSON FIRE DEPARTMENT.**

WHEREAS, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the Polson Fire Department, hereinafter PFD, has investigated different methods to maintain a high level of quality of emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the PFD decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, the purpose of this Resolution is to provide PFD with the ability to recapture costs associated with emergency responses involving motor vehicles, since raising real property tax to meet the increase in service demands would not be fair to the property owners and such recapture can be effected through most policies of motor vehicle insurance or individually by a responsible party; and,

WHEREAS, the City Council means and intends that this Resolution shall take effect and be of the same writ and reach as a similar measure being undertaken by the Polson Rural Fire District, as an adjunct to the Interlocal Agreement existing between the two entities; and,

WHEREAS, the City Council of the City of Polson desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POLSON:**

SECTION 1: The City of Polson shall initiate mitigation rates for the delivery of emergency services by the fire department for personnel, supplies and equipment to the scene of motor vehicle incidents and other emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: The mitigation rates shall be filed to the responsible party, representing an add-on cost of the claim for damages of the vehicles, property and/or injuries. The claim

costs shall be filed to the insurance coverage of the owner of a vehicle. In some circumstances, the responsible party will be billed directly.

SECTION 3: The fire department's City Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not inconsistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements.

SECTION 5. Any monies realized by implementation of this Resolution shall be assigned to the training and equipment reserve budgetary lines of the Fire Department for use solely in those areas.

SECTION 6. The City Manager is authorized to implement this Resolution by appropriate contract with a third-party administrator, on such terms and conditions as the Manager sees fit.

SECTION 7: This Resolution shall take effect immediately upon adoption hereof.

PASSED AND APPROVED this \_\_\_ day of November, 2010.

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Pat Devries, Mayor

ATTEST:

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Kala Parker, City Clerk