Chapter 18

FIRE DEPARTMENT SERVICE BILLING ORDINANCE

OF THE TOWN OF MILFORD, MAINE.

Adopted at Special Town Meeting January 5, 2021

Amended at Annual Town Meeting June 15, 2021

FIRE DEPARTMENT SERVICE BILLING ORDINANCE

OF THE TOWN OF MILFORD, MAINE

Section 1. Title and Purpose.

This ordinance shall be known and may be cited as the "Fire Department Service Billing Ordinance of the Town of Milford, Maine" and will be referred to here on in as "this Ordinance". The purpose of this Ordinance is to recoup the cost of a Milford Fire Department's response to Motor Vehicle Collisions, Emergency Medical Service Billing and responses to the Unorganized Townships of Penobscot and Hancock Counties as contracted.

Section 2. Authority

2.1. This Ordinance is enacted pursuant to the authority given the Town by 30A MRSA section 3001 (Home Rule).

2.2. The effective date of this Ordinance will be thirty (30) days after it is adopted by vote of the legislative body of the Town of Milford.

Section 3. Response Fees

3.1 Fee schedule

Engine	$225.00 Per Hour
Ambulance	$200.00 Per Hour
Brush Truck	$150.00 Per Hour
Rescue Truck	$150.00 Per Hour
Utility Truck	$100.00 Per Hour
UTV	$100.00 Per Hour
Boat	$75.00 Per Hour
Personnel	$20.00 Per Hour

3.2 The minimum fee charged for a response will be 1 hour for the responding vehicles and personnel. After the first hour, the charge will be rounded to the nearest quarter hour.

3.3 Fee schedule for the Unorganized Townships will be as agreed upon in the respected contractual agreements.

Section 4. Billing

4.1 The Town of Milford will bill for services provided by the Town of Milford Fire Department's response to Motor Vehicle Accidents under the following circumstances.

1. The operator of the vehicle is not a resident of the Town of Milford.
2. The operator of the vehicle found to be at fault is not a resident of the Town of Milford at the time of the Motor Vehicle Accident.
3. The operator, regardless of place of residence, has a Motor Vehicle Accident within the town limits while under the influence of drugs and/or alcohol.
4. The operator, regardless of place of residence, will be billed for services received, if they leave the scene of the accident other than to get help and/or medical assistance.

4.2 The fees charged for the response will be billed directly to the insurance company within 14 days of the incident.

4.3 Should the vehicle involved not be insured at the time of Motor Vehicle Accident, then the fees will be charged to the operator of the vehicle.

4.4 Should the uninsured vehicle be operated by a minor; the charge will be levied against the operator's parents or legal guardian and/or the registered owner of the vehicle.

4.5 Should the operator of a vehicle leave the scene of an accident, abandoning the vehicle, unless seeking help or medical aid, then the insurance company or operator of the vehicle will be charged the previously stated fees regardless of residential status.

4.6 Upon written request, the Select Board for the Town of Milford is authorized to consider writing off the claims due to extenuating circumstances.

Section 5. Severability

5.1 If any section 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 6. Conflicts with other Ordinances

6.1 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 7. Administration

7.1 All pertinent information obtained on scene will be entered into the incident report by the Incident Commander. This will include:

1. Make, Model, Year, Registration Number, Insurance information and Vehicle Identification Number of the vehicle(s) involved.
2. Name, age and physical address of the individual operating the vehicle as well as all occupants in the vehicle(s).
3. All responding units who responded to the scene and details of operations conducted on scene. This will include response times for each apparatus as well as the personnel in the apparatus to ensure accurate billing. Response times will include.

    a. Time Paged

    b. Time en route

    c. Time on scene

    d. Time cleared

    e. Time in quarters

4. Billing for each apparatus will start from the time en route, whereas the billing for personnel will start from the time paged. Billing for both apparatus and personnel will end when they are back in quarters, unless the truck has to be out of service for a period of time until the necessary work can be done to return the truck back to in service status.

7.2 This report will be reviewed by the Fire Chief.

1.The Fire Chief has the authority to reduce the charges based on unnecessary responses. An unnecessary response would include a response from apparatus and/or personnel that were not required on scene or cancelled en route by the Incident Commander.

7.3 All Fire and EMS reports will be submitted to a qualified 3rd party billing service who has been approved by both the Fire Chief and the Town of Milford Select Board.

7.4 All fees collected by the Town of Milford will be allocated as following:

1. All fees collected as a result of contracts with any contracted town or county governments will be as stated in the respective contract and all fees collected from the Milford Fire Departments Response as stated in this ordinance, shall be placed in a capital improvement fund and this dedicated fund will be used to offset the cost of the Milford Fire Departments apparatus replacement.

2. All fees collected from costs associated with the transportation by Milford's Ambulance, will go back into the Fire Departments budget to ensure adequate staffing, purchase of fuel and EMS supplies, and other EMS related expenses. Any funds remaining in this fund at the start of the new fiscal year will role over and be used as part of the base budget for the next fiscal year.

3. All fees collected from occupancy inspections and life safety violations will be placed in the Milford Fire Departments Budget to be used for Fire Prevention and Public Education programs and equipment.

<u>Board of Selectman</u>

Cory Labelle:

Diane Lacadie:

Nicholas Higgins:

Charles Weymouth:

Doug Libby: