

BLOOMING GROVE TOWNSHIP
PIKE COUNTY, PENNSYLVANIA

ORDINANCE NO. 67

AN ORDINANCE OF BLOOMING GROVE TOWNSHIP, PIKE COUNTY, PENNSYLVANIA, AUTHORIZING VOLUNTEER FIRE DEPARTMENTS, AMBULANCE COMPANIES, AND ALL OTHER DULY RECOGNIZED EMERGENCY RESPONDER AGENCIES LAWFULLY EXISTING IN AND/OR SERVING THE TOWNSHIP (COLLECTIVELY, THE "EMERGENCY SERVICE PROVIDER") TO OBTAIN REIMBURSEMENT FOR THE COSTS OF MATERIALS EXPENDED AND SERVICES RENDERED FOR THE FOLLOWING INCIDENTS, INCLUDING, BUT NOT LIMITED TO, FIGHTING FIRES, RENDERING EMERGENCY RESCUE AND/OR MEDICAL SERVICES, AND THE CLEANUP OF HAZARDOUS MATERIALS.

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Blooming Grove Township, Pike County, Pennsylvania, at a regularly advertised meeting, the following Ordinance:

SECTION 1: *SHORT TITLE.*

This Ordinance shall be known and may be cited as "*The Blooming Grove Township Emergency Service Cost Reimbursement Ordinance.*"

SECTION 2: *AUTHORITY.*

This Ordinance is adopted pursuant to the provisions of The Second Class Township Code, 53 P.S. § 65101, *et seq.*, as amended (hereinafter referred to as the "*Code*").

SECTION 3: *PURPOSES.*

The Board of Supervisors (hereinafter referred to as the "*Board*") of Blooming Grove Township, Pike County, Pennsylvania (hereinafter referred to as the "*Township*"), hereby adopts and enacts this Ordinance for the following purposes:

- (A) To ensure the continued viability of the emergency service providers, and to protect and promote the public health, safety and welfare, by authorizing the emergency service providers to collect money from those who receive fire-fighting, rescue and/or emergency medical services; and
- (B) To permit financial assistance to volunteer emergency service providers, who are experiencing ever-increasing financial burdens and costs, which costs have an adverse impact on the provision of emergency services in the Township.

SECTION 4: DEFINITIONS.

As used in this Ordinance, the following terms are hereby given the meanings set forth below:

- (A) **Emergency Service Provider:** Any volunteer fire department, ambulance or fire and rescue company, or other emergency responder agency duly organized, acknowledged and existing in Blooming Grove Township, and/or lawfully providing emergency services in the Township; and
- (B) **Person:** An individual, organization, corporation, partnership, government or governmental agency, department or political subdivision, business, trust, estate, association, and any other legal or commercial entity; and
- (C) **Supervisors:** The Board of Supervisors of and for Blooming Grove Township, Pike County, Pennsylvania; and
- (D) **Township:** Blooming Grove Township, Pike County, Pennsylvania.

SECTION 5: AUTHORIZATION TO RECOVER FEES, COSTS, AND EXPENSES.

The Township hereby authorizes Emergency Service Providers to recover the costs of the following, including, but not limited to, fire-fighting materials used and expended, the use of the fire trucks, fire engines, rescue equipment and tankers, emergency medical supplies, and hazardous situation abatement materials used and expended in connection with any fire, safety, rescue incident or operation, medical emergency, or hazardous situation abatement incident, including vehicular accidents, fires, and/or medical emergencies occurring within the Township or any other area in which the Emergency Service Provider is authorized by the Township to provide such emergency services.

SECTION 6: SCHEDULE OF FEES, COSTS, AND EXPENSES.

The Emergency Service Provider shall be responsible for establishing a Fee Schedule for any fees, costs, and expenses (collectively, the “Charges”) contemplated by this Ordinance.

SECTION 7: REQUIREMENT TO PAY FOR FEES, COSTS, AND EXPENSES.

A Person or Persons who receive(s) fire-fighting, rescue, medical or other emergency service, or any combination of those services, shall be liable for the Charges incurred by the Emergency Service Provider.

SECTION 8: *COLLECTION OF FEES, COSTS, AND EXPENSES.*

The Charges shall be recovered directly by the Emergency Service Provider by direct billing, or by an attorney, collection service, or other agency contracted with and by the Emergency Service Provider for the collection of such sums. In addition to these Charges, the Emergency Service Provider shall also be authorized to collect reasonable interest and administration expenses involved in collecting said Charges.

SECTION 9: *ENFORCEMENT.*

In the event that any insurance carrier or Person fails to pay any bill or invoice within thirty (30) days of the mailing or delivery of such notice of charges, the Emergency Service Provider directly, or any attorney, collection service, or other agency contracted with and by the Emergency Service Provider, who mailed or delivered the bill or invoice, may enforce the provisions of this Ordinance by filing a civil action at law in a court of competent jurisdiction for the collection of any amounts due to the Emergency Service Provider, together with any statutory interest, court costs, collection and/or administration fees, and reasonable attorneys' fees. The remedies provided herein shall be in addition to any other relief, remedies, or penalties that may be appropriate and provided by law.

SECTION 10: *SEVERABILITY.*

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any parts thereof.

SECTION 11: *REPEALER.*

All other Ordinances or Resolutions, or sections thereof, that are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 12: *EFFECTIVE DATE.*

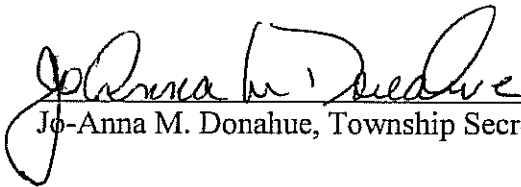
The provisions of this Ordinance shall become effective five (5) days after the date of adoption by the Board of Supervisors.

SECTION 13: ADOPTION.

This Ordinance is DULY ENACTED AND ORDAINED into law by the Board of Supervisors of Blooming Grove Township, Pike County, Pennsylvania, on this *19* day of May, 2014.

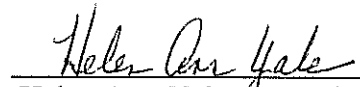
ATTEST:

BOARD OF SUPERVISORS OF BLOOMING GROVE TOWNSHIP, PIKE COUNTY, PA


Jo-Anna M. Donahue, Township Secretary

By: _____
Randy Schmalzle, Chairman


Nicholas Mazza, Vice Chairperson


Helen Ann Yale, Supervisor