

Freedom Volunteer Fire Department Cost Recovery Ordinance

Section 1:

Title, Authority, Purpose, and Definitions

- A. **Title** – This ordinance shall be known and cited as the Freedom Volunteer Fire Department Cost Recovery Ordinance for the town of Freedom, Maine and will be hereinafter referenced to as the “Ordinance”.
- B. **Authority** – This ordinance is adopted pursuant to municipal home rule ordinance authority and title 30-A, M.R.S.A., Section 3001.
- C. **Purposes** – The Freedom Volunteer Fire Department is engaged in providing fire suppression, fire rescue and safety services in response to incidents; and in consideration of services rendered hereby desires to set the following Cost Recovery policy for Fire Department Services.
1. To protect the citizens of Freedom from potential expenses incurred through emergency response and services provided.
 2. To compensate the town of Freedom for use of town resources in response to fire caused by arson, illegal burning, traffic incidents, motor vehicle accidents and incidents involving operating under the influence (O.U.I.).
 3. To promote the health, safety, and general welfare of Freedom residents. Fire services will not be denied due to a person’s lack of adequate funds or insurance. No one should hesitate to call 9-1-1 if emergency services are needed.
- D. **Definitions**
- Arson:** The criminal act of deliberately setting fire to property.
- Costs:** Expenses incurred in/of emergency response, traffic control, extrication of victims, control of hazardous or other materials, control of fire, overall safety.
- Fire Chief:** The officer in charge of Fire Department operations.
- Illegal Burn:** A person who illegally set fire to property or goods without a permit or violates the conditions of a Maine Forest Service Open Burning Permit.
- Incident Commander:** A designated person responsible for all aspects of an emergency scene; including response, developing incident objectives, managing all incident operations, application of resources as well as responsible for all persons involved.
- Individual:** Any person, corporation, partnership, firm, organization, or other legal entity.

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Automatic Mutual Aid Agreement: An agreement the town may have with Thorndike, Montville, Palermo, Albion, Unity, or other towns to provide incident support and coverage on an as needed basis.

Motor Vehicle Accident: When a vehicle collides with another vehicle, pedestrian, animal, road debris, or other stationary obstruction, such as a tree or utility pole.

O.U.I.: Operation of a motor vehicle while under the influence of liquor or drugs.

Resident of the town of Freedom: Any individual domicile in the town of Freedom as of the date that the incident occurred and/or services were offered or rendered.

Traffic Incident: Any roadway event to which the Freedom Volunteer Fire Department was dispatched, or requested by Waldo County Communication Center, written mutual aid agreement, or any other state or local agency.

Third Party Agency: A third party agency will contract with the town of Freedom, Maine for the collecting funds occurred when the Freedom Volunteer Fire Department is dispatched.

Section 2:

Applicability, Conflicts, Effective Date and Amendments.

A. Applicability

1. The provisions of this ordinance shall govern all emergency incident scenes to which the Freedom Volunteer Fire Department is dispatched or requested by the Waldo County Communication Center, written mutual aid agreement, or any state or local agency to; control or confine hazardous materials, extinguish fire, or motor vehicle/traffic incident, or overall scene safety.
2. This ordinance shall be applicable to all individuals who receive emergency services provided by the Freedom Volunteer Fire Department as specified in this ordinance.

B. Responsibility

1. Individuals that are party to an incident and who own insurance policies covering emergency services shall cooperate fully with the Freedom Volunteer Fire Department Chief and/or the Incident Commander by providing full and complete information about themselves (names, addresses, phone numbers and e-mail addresses) and about their insurance coverage, including policy numbers, and names and contact information for their underwriters and agents. The information provided shall enable the

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Freedom Fire Chief to file claims with a third party agency for the recovery of Costs incurred during the incident.

2. If the individual has no insurance, the Freedom Volunteer Fire Department will assume Cost and be covered by the department operating budget.
- C. **Effective Date** – This Ordinance shall take effect immediately upon the approval of most Freedom voters casting their votes at open Town meeting or at referendum Town meeting.
- D. **Amendments** – The Select Board may amend the administrative procedures of this Ordinance after holding a public hearing. No such amendment shall materially alter the intent of this Ordinance. Upon adoption of this ordinance, Board of Selectmen with the advice of the Fire Chief is authorized to review and amend the fees as they deem in the best interest of the Town of Freedom.
- E. **Conflicts with other Ordinances** – 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 the Fire Department Services, the provisions of this Ordinance shall control.

Section 3:

Administering and Collections

A. Administering Bodies and Agents

1. **Fire Chief:** The municipal Fire Chief of the town of Freedom, or his/her designated agent, hereinafter called the Fire Chief, shall be responsible for:
 - a. It shall be the duty of the Fire Chief to create an accurate invoice relating to this ordinance within 10 days from the date of incident and mail said invoice to a third party agency for collections of funds.
 - b. A copy of such invoices and fees collected shall be submitted to the Municipal Officers to be maintained as record.
2. It shall be the duty of the Fire Chief to keep a complete record of all incident billing transactions for the Freedom Volunteer Fire Department, including individuals involved in the incident.
 - a. The Fire Chief is responsible for keeping an accurate record of funds received from a third party agency. Included in the duties, the Fire Chief shall deposit received funds into the account/fund agreed upon by the Fire Department and the town of Freedom.
 - b. The Fire Chief shall keep an up to date cost schedule for the Fire Department apparatus, equipment, materials, and manpower for billing purposes.

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Section 4:

Fees for Services

Waldo County Firefighter's Association schedule of fees for Municipal Fire Departments.

The Fire Department for the Town of Freedom has assigned the following charges for emergency services rendered:

Chargeable Item	Per Hour	Flat Rate
Personnel	\$18.00	N/A
Engines (Pumpers & Pumper/Tankers)	\$180.00	N/A
Brush Truck (with pump & tank)	\$180.00	N/A
Chainsaws	\$10.00	N/A
Extrication (JAWS)	N/A	\$500.00
Cold Water Rescue	N/A	\$500.00
Life Flight Assist	N/A	\$400.00
Fuel Spill Response	N/A	\$250.00
Minimum call out fee for rolling to a scene when toned out	N/A	\$200.00
Fire Reports	N/A	\$25.00

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Given under our hands at Freedom, Maine this 5/23/22 the
"Purposed Town of Freedom, Maine Freedom Volunteer Fire Department Cost Recovery
Ordinance".

Selectmen of Freedom:

C Ronald Price *C Ronald Price*

Stephen Bennett *St Bennett*

Elaine Higgins *Elaine Higgins*

Fire Chief:

James Waterman *James Waterman*

Town Clerk

Cynthia Abbott *Cynthia Abbott*