

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 92-20

ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HOMER, ALASKA, AMENDING HOMER CITY CODE
SECTION 1.60.070, EMERGENCY RESPONSES--FEES.

WHEREAS, the Council adopted Ordinance 91-26(A) establishing section 1.60.070; and

WHEREAS, the Fire Department requests that the authority to charge for fire fighting services be added back into 1.60.070, which was deleted by amendment to Ordinance 91-26(A); and

WHEREAS, the request was discussed with the City Attorney and the Public Safety Director; and

WHEREAS, the fire department deletion of the authority to charge for any fire fighting services precludes the City from continuing to charge for services for which the fire department has traditionally charged fees.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 1.60.070 of the Homer City Code is hereby amended to read as follows:

1.60. 070 Emergency responses--Fees; liability.

a. The City Council may, by resolution, establish a schedule of fees to be charged for emergency services. Fee schedules may be established for, but are not limited to:

1. false alarms
2. emergency medical services or rescue responses
3. reimbursement of the cost of an emergency service response involving hazardous materials or demanding unusual or extraordinary efforts, or caused by criminal or negligent conduct.
4. fire protection services.

b. As used herein "costs of an emergency service response" means actual costs incurred by the City, including Homer Volunteer Fire Department, and any other City contractors, in reasonable responding to an emergency incident, including the costs of providing police, fire fighting rescue; emergency medical services, and other personnel, equipment or services in response to the incident, but shall not exceed those costs directly arising out of the response to the incident.

c. The charges authorized in subparagraph a. constitute a debt of the responsible party and is collectible by the City in the same manner as in the case of an obligation under a contract, express or implied. The City of Homer shall have the right to bring suit for collection of these charges, plus costs and attorneys' fees, against any or all of the parties responsible for payment.

d. Payments received for emergency service responses shall be prorated among the City departments and contractors responding to the incident.

Section 2. This ordinance is a general ordinance of permanent nature and provision of Section 1. of this ordinance shall be codified for inclusion in the Homer City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 26th day of May, 1992.

THE CITY OF HOMER, ALASKA


HARRY E. GREGOIRE, MAYOR

AYES: 6
NOES: 0
ABSENT: 0
ABSTAIN: 0

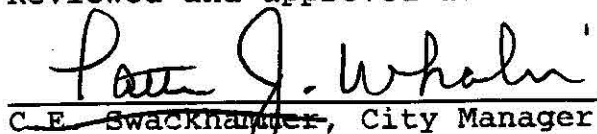
ATTEST:


MARY L. SHANNON, CITY CLERK

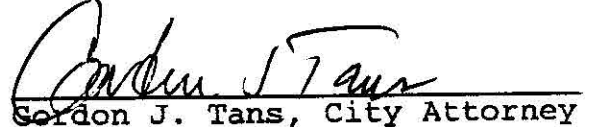
(City Seal)

First Reading: 04/13/92
Public Hearing: 04/27/92
Second Reading: 05/26/92
Effective Date: 05/27/92

Reviewed and approved as to form and content:


C. E. Swackhammer, City Manager

Date: 5/28/92


Gordon J. Tans, City Attorney

Date: 6-1-92