



MEETING DATE: June 4, 2025

AGENDA ITEM: 4. First Reading: Ordinance 2025-02: An ordinance establishing and implementing a program to charge fees for emergency and non-emergency services by the Beckwourth Peak Fire Protection District.

FROM: Jack Rosevear

RE: Cost Recovery/Fee Ordinance- First Reading

REASON FOR RECOMMENDED BOARD ACTION:

The Board should consider an fee schedule from which the District can recover costs when appropriate. This is common with many fire districts around the State, and California Fire District Law allows districts to recover costs, provided a public process is followed. This is the first reading of the ordinance to introduce a fee schedule for discussion, with proposed adoption at the August Regular Board meeting.

BACKGROUND:

The Fire District does not have a current fee schedule to conduct cost recovery or charge fees when appropriate. There are circumstances when the District performs services outside of normal operations for it's tax paying residents and property owners. In some instances, insurance companies allow billing for services, such as vehicle accidents and hazardous materials incidents. When the District provides emergency services for an extended period of time, there may be costs outside of normal budgeted operations, for overtime, cleanup materials, etc.

Fire Districts commonly have a fee schedule for services performed outside of the scope of normal service, such as fire inspections, fire code permits, new construction plan checking, special event stand-by, response to nuisance fire alarms, etc.

The intent of the ordinance is to establish a fee and cost recovery authority for the new District. Cost recovery would not be imposed on residents or commercial businesses, unless there are justifiable circumstances which makes it appropriate, as would be the instance of an extended attack wildland or structure fire originating from gross/criminal negligence. Hazardous materials response, responses to rail emergencies and serious vehicle accidents with extrication and clean-up are common incidents that fire agencies recover costs for personnel, equipment and supplies.

The billing charges are based on our OES reimbursement schedule, which is the standard District reimbursement method utilizing established OES base rates for reimbursement of smaller fire agencies, for personnel and equipment expenses. This establishes the baseline reimbursement rates for the District's cost recovery schedule and factors in personnel and equipment costs. Additional charge may be necessary for replacement supplies, rental equipment or other expense unique to mitigating a serious incident.

FISCAL IMPACT:

Negative financial impact on the District's budget if we expend funds for events or incidents that exceed the scope of our base tax funding. Hazardous materials incidents, expanded rescue calls, negligent acts causing fires and other services which qualify for cost recovery create a positive impact when we can recover funds, which would otherwise be lost and funded outside of the scope of the budget. The taxpayers of the Fire District have expectations about the services they receive and pay for. Many auto and property insurance policies allow for cost recovery of emergency services. Recovering otherwise lost funds for certain incidents are in the taxpayers interests and promote good budget management. The District may also recover personnel time for new construction plan checking, special fire permits and special event staffing.

IMPACTS TO THE CUSTOMER:

Positive impacts to the taxpayers of the Fire District, when funds are recovered for emergency operations, personnel and equipment costs, which are outside the scope of the District's normal operations. Insurance policies allow cost recovery, under certain circumstances. There is no intent to cost recover on incidents from residents and taxpayers of the District, unless the incident is the result of intentional or gross negligence. Cost recovery may happen for emergency response to incidents involving non-residents and non-district based commercial entities (railroad, trucking/transportation, etc).

RECOMMENDATION:

Continue the Ordinance and discussion to August Board Meeting for Adoption

ATTACHMENTS:

- A. BPPFD - ORDINANCE 2025 FEE SCHEDULE-C1-C1 (1)

ORDINANCE NO: 2025-02

AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE FEES FOR EMERGENCY AND NON-EMERGENCY SERVICES BY THE BECKWOURTH PEAK FIRE PROTECTION DISTRICT.

WHEREAS, the emergency and non-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 fire department services; and

WHEREAS, the Beckwourth Peak Fire Protection District has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the Beckwourth Peak Fire Protection District decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising taxes to meet the increase in service demands would not be fair when the responsible party should be held accountable for their actions; and

WHEREAS, the Board of Directors of the Beckwourth Peak Fire Protection District desires to implement a fair and equitable procedure by which to collect rates or fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines.

NOW, THEREFORE THE BOARD OF DIRECTORS OF THE BECKWOURTH PEAK FIRE PROTECTION DISTRICT ORDAINS AS FOLLOWS:

SECTION 1: The Beckwourth Peak Fire Protection District shall charge fees for the delivery of emergency and non-emergency services by the Beckwourth Peak Fire Protection District for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in “EXHIBIT A”. The fees shall be less than or equal to the actual costs of the services.

SECTION 2: All persons receiving the services listed in EXHIBIT A shall be responsible for the payment of such fees. At its election, the Beckwourth Peak Fire Protection District may submit claims to the responsible party’s insurance carrier for payment.

SECTION 3: The Beckwourth Peak Fire Protection District’s Board of Directors may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these fees or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board of Directors concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Board of Directors, and that all deliberations of this Board of Directors and any of its

committees that resulted in such formal actions were in accordance with all legal requirements.

SECTION 5: This Ordinance shall take effect thirty days (30) from the date of adoption as permitted by law. This Ordinance shall be posted or published as required by law.

This ordinance was introduced at a duly noticed meeting held on _____, 2025 and was PASSED, APPROVED, AND ADOPTED on _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Cary Curtis, Board President

ATTEST:

Board Secretary

EXHIBIT A

FEES BASED ON PER HOUR

The bulk of the fees below are minimum “billing levels”, and are less than or equal to the Beckwourth Peak Fire Protection District’s minimum cost of the incident responses listed, however, fees may be itemized and based on the actual cost of services provided as set forth in this Exhibit A.

MOTOR VEHICLE INCIDENTS

Level 1 - \$173.47 per hour Engine(s) \$44.97 per hour personnel(Chief Officer \$57.24 per hour)

Provide hazardous materials assessment and scene stabilization.

Level 2 - \$173.47 per hour Engine(s) \$44.97 per hour personnel(Chief Officer \$57.24 per hour) Disposable materials at direct cost

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal.

Level 3 – CAR FIRE - \$173.47 per hour Engine(s) \$44.97 per hour personnel(Chief Officer \$57.24 per hour) Disposable materials at direct cost

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 4 - \$173.47 per hour Engine(s) \$44.97 per hour personnel(Chief Officer \$57.24 per hour) Disposable materials at direct cost

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). This level is to be billed only if extrication equipment is deployed.

Level 5 - \$173.47 per hour Engine(s) \$44.97 per hour personnel(Chief Officer \$57.24 per hour) Disposable materials at direct cost

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). This level shall be charged any time a helicopter is utilized to transport the patient(s).

Level 6

Itemized Response: The District shall have the option to bill each incident as an independent event with actual costs incurred, for each incident using, itemized rates.

These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used at the following rates:

Engine billed at **\$173.47** per hour.

Water Tender billed at \$148.07 per hour.

Additional rate for personnel at **\$27.77 per hour (Chief Officer \$34.59 per hour)**

Miscellaneous equipment billed at \$75 per hour.

ADDITIONAL TIME ON-SCENE

Engine billed at **\$173.47** per hour.

Water Tender billed at **\$148.07** per hour.

Miscellaneous equipment billed at **\$75** per hour

HAZMAT

Level 1 - \$173.47 per hour Engine(s) \$44.97 per hour personnel (Chief Officer \$57.24 per hour)

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$173.47 per hour Engine(s) \$44.97 per hour personnel (Chief Officer \$57.24 per hour) Miscellaneous equipment \$75 per hour- materials at cost.

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$173.47 per hour Engine(s) \$44.97 per hour personnel (Chief Officer \$57.24 per hour) Miscellaneous equipment \$75 per hour- materials at cost.

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$173.47 per hour.

Water Tender billed at \$148.07 per hour.

Miscellaneous equipment billed at \$75

FALSE ALARM BILLING RATES

(a) The first false alarms within twelve (12) months in a calendar year is free of charge

(b) The second (2nd) false alarm in a twelve (12) month calendar year is billed at **\$75**

(c) The third (3rd) false alarm in a twelve (12) month calendar year is billed at **\$100**

(d) The fourth (4th) through sixth (6th) false alarms in a twelve month (12) calendar year are billed at **\$150** per event not exceed **\$200** per calendar day.

FIRE INVESTIGATION

Single Resource - \$57.24 per hour

Fire Investigation Team - \$44.97 per hour per person

Includes:

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

FIRES

Assignment - \$173.47 per hour, per engine / \$148.07 per hour, per Water

Tender- \$44.97 per firefighter- \$57.24 per Chief Officer

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

ILLEGAL FIRES

Assignment - \$173.47 per hour, per engine / \$148.07 per hour, per Water Tender- Personnel: 44.97 per hour Firefighter-Captain \$57.24 per hour-Chief Officer

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response at the following rates:

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control).

Billed at \$44.97 per hour, per rescue person- \$57.24 per hour for Chief Officer.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal.

Billed at \$44.97 per hour, per rescue person- \$57.24 per hour for Chief Officer.

Level 3

Itemized Response: The District shall have the option to bill each incident as an independent event with the actual costs of responding to each incident using itemized rates. These incidents will be billed, itemized, per trained rescue person, plus rescue products used at the following rates:

Billed at \$44.97 per hour, per rescue person- \$57.24 per hour for Chief Officer.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed the actual costs incurred in responding to the incident. These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used at the following rates:

Minimum billed \$ for the first response vehicle plus \$173.47 per hour per rescue person. Additional rates of \$173.47 per hour per response vehicle and \$44.97 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$57.24 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

Engine billed at **\$173.47** per hour.

Water Tender billed at **\$148.07** per hour.

Miscellaneous equipment billed at **\$75 per hour.**

LATE FEES

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be accessed to the responsible party.

SITE, BUILDING PLANS, AND CONDITIONAL USE PERMIT

	<u>FEES</u>
1. AIRCRAFT REFUELING OPERATIONS Aircraft repair hanger	\$250 per year.
2. CARNIVALS, CIRCUSES, AND FAIRS	\$250 per event
3. TENTS, CANOPIES, TEMPORARY MEMBRANE STRUCTURES 201 – 1,499 square feet	\$250 per permit
4. PRE-OCCUPANCY INSPECTION	\$100 first visit
5. RE-INSPECTION (per visit, after second visit)	\$50/hr. Minimum 1 hr.

6. RESIDENTIAL (R-1 Motels/Hotels)	
Inspection prior to occupancy	
1– 6 Units	\$200 Base Rate
7 – 16 Units	\$50 additional
17 – 30 Units	\$50 additional
31 Units or More	\$100 additional
7. RESIDENTIAL CARE FACILITIES	
Initial Fire Clearance/Annual Inspection	\$100
Residential Care Facilities with 6 or fewer persons	\$100
Residential Homes (one-time fee)	\$100
8. SPECIAL INSPECTION REQUESTS	\$100 per visit
No otherwise specified in the fee schedule	
9. ABOVE GROUND TANK INSTALLATION	
Flammable/Combustible Liquids	\$100 per visit
Compressed Gases	
Each additional tank	\$150 each
10. BUILDING PLAN BASIC REVIEW	
Flat \$.07 per square foot (minimum \$100)	
11. SITE PLAN REVIEW	
Less than five acres	\$100 per visit
5 – 15 acres	\$200 per visit

COMMERCIAL/INDUSTRIAL/RESIDENTIAL SPECIAL INSPECTION FEE SCHEDULE

	<u>FEES</u>
12. PAINT SPRAY BOOTHS	\$200 per year
13. ADMINISTRATION CHARGES FOR RE-SUBMITTALS	\$100 per event
14. FIRE FLOW/HYDRANT TEST	\$50 per hydrant
15. “WILL SERVE” LETTER PROCESSING	\$100

C. Fees for Annexation (By Zoning): Actual cost with deposit as requested by District.

D. Fees for Administrative Services:

Request for documents:

- | | |
|----------------------------------|----------------------|
| 1. Basic Run reports (Non-HIPAA) | \$25 |
| 2. Patient Care Reports (HIPAA) | \$25 + Attorney fees |
| 3. Photos | \$2/photo |

Attorney Fees
(Needing Attorney Review and Approval)

4. All HIPAA, and/or Subpoenas, additional legal charge \$50 + Basic
Charge + Attorney Fees + Photos