

**BOARD OF SUPERVISORS
TOWNSHIP OF WILLIAMS NORTHAMPTON COUNTY, PENNSYLVANIA**

**FIRE DEPARTMENT AND TOWNSHIP REIMBURSEMENT FOR HAZARDOUS
ABATEMENT INCIDENTS, ENVIRONMENTAL INCIDENTS, AND FIRE SAFETY
AND RESCUE RESPONSES**

ORDINANCE NO. 2014-11

**AN ORDINANCE OF WILLIAMS TOWNSHIP RECOGNIZING THE
AUTHORITY OF FIRE COMPANIES TO SEEK REIMBURSEMENT
FOR HAZARDOUS ABATEMENT INCIDENTS, ENVIRONMENTAL
INCIDENTS, AND FIRE SAFETY AND RESCUE RESPONSES AND
AUTHORIZING THE TOWNSHIP TO SEEK REIMBURSEMENT FOR
HAZARDOUS ABATEMENT INCIDENTS, ENVIRONMENTAL
INCIDENTS, AND FIRE SAFETY AND RESCUE RESPONSES.**

IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Williams Township, Northampton County, Pennsylvania, as follows:

ARTICLE I. TITLE.

This Ordinance shall be known as the Williams Township Emergency Service Cost Reimbursement Ordinance

ARTICLE II. AUTHORITY, FINDINGS, AND PURPOSE.

- A. Authority – Under Section 1803(b) of the Second Class Township Code, 53 P.S. §66803(b), the Township has the authority to make rules and regulation for the government of fire companies located within the Township.

- B. Findings – The Township recognizes that the duties of volunteer fire companies require specialized emergency rescue tools and equipment, emergency rescue materials, hazardous material abatement equipment, and hazardous abatement materials during emergency responses. The Township recognizes that such tools and equipment place a financial burden on volunteer fire companies, and the replacement of such materials and specialized training add to the additional financial burden for volunteer fire companies.

- C. Purpose – To grant any fire company (“Fire Departments”) and emergency medical ambulance service (“EMS”) operating in Williams Township the authority to seek reimbursement for the reasonable cost of responding to such incidents, either directly or in coordination with the Office of Emergency

Management, as provided below and to authorize Williams Township to seek reimbursement for the reasonable cost or responding to such incidents.

ARTICLE III. RECOVERY OF COSTS.

- A. The Township authorizes the Fire Departments, EMS and Williams Township to recover the reasonable cost of emergency rescue tools, equipment, and materials; hazardous material abatement tools, equipment, and materials; and personnel hours involving any hazardous material, environmental, fire, safety, and/or rescue incident or operation, including vehicular accidents.

- B. The reasonable costs incurred by the Fire Departments and EMS outlined above may be recovered directly by the Fire Departments and EMS or through a third party billing service as an authorized agent for the collection of such costs. The reasonable costs incurred by Williams Township outlined above may be recovered directly by the Township or through a third party billing service as an authorized agent for the collection of such costs.

- C. The Township, Fire Departments, EMS or third party billing service shall only have the authority to recover the aforementioned costs from the applicable insurance company/carrier.

- D. The reimbursement rates for the aforementioned tools, equipment, and materials shall be set by the Fire Departments and EMS from time to time and shall be only applied to the recovery of costs arising out of incidents that occurred subsequent to the setting of the rates. These rates shall be approved by the Township and be kept on file in the Township Building. The reimbursement costs for the aforementioned tools, equipment, and materials shall be set by the Township from time to time by Resolution adopted by the Board of Supervisors.

- E. In addition to the aforementioned reasonable costs, Williams Township, the Fire Departments, EMS or third party billing service shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act or authorized by any other statute or law.

ARTICLE IV. RESPONSIBILITY OF THE TOWNSHIP.

Except for recovery of costs incurred by the Township, the Township shall not be responsible for any aspect of the recovery of costs under this Ordinance. The Township shall not take any steps to assist the Fire Departments, EMS or any third party billing service in recovery of costs under this Ordinance.

ARTICLE V. REPEALER.

All ordinances, parts of ordinances, and amendments thereof which are inconsistent with this Ordinance are hereby repealed.

ARTICLE VI. SEVERABILITY.

If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

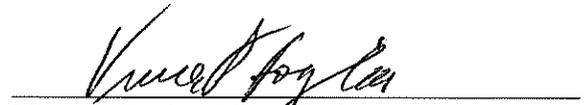
ARTICLE VII. EFFECTIVE DATE.

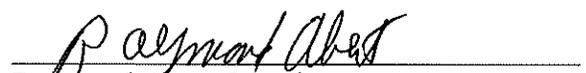
This Ordinance shall become effective five (5) days after final enactment.

ENACTED AND ORDAINED this 10th day of September, A.D., 2014.

WILLIAMS TOWNSHIP
BOARD OF SUPERVISORS


George Washburn, Chairman


Vincent Foglia, Vice Chairman


Raymond Abert, Member