

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN ENACTING
CHAPTER 3.36 AND AMENDING CHAPTER 3.32 OF TITLE 3 OF THE
ROCKLIN MUNICIPAL CODE TO IMPLEMENT A FEE TO RECOVER COSTS
FOR PROVIDING MEDICAL EMERGENCY FIRST RESPONDER SERVICES

WHEREAS, the City of Rocklin Fire Department responds to many emergency incidents, and provides basic and advanced emergency medical services to individuals during those incidents; and

WHEREAS, the costs to provide medical emergency first responder services may be defrayed by charging a service fee; and

WHEREAS, the City Council of the City of Rocklin wishes to establish a fee to recover the costs for providing medical emergency first responder services to individuals; and

WHEREAS, the first responder fee will not exceed the estimated reasonable costs of providing the services.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROCKLIN DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to enact Chapter 3.36 and amend Chapter 3.32 of the Rocklin Municipal Code to allow for the collection of fees related to the recovery of the costs for providing medical emergency first responder services.

Section 2. Authority. This ordinance is enacted under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code section 37100.

Section 3. Enact. Chapter 3.36 of Title 3 of the Rocklin Municipal Code authorizing a fee to recover costs for providing medical emergency first responder services is hereby enacted as follows:

3.36 Medical Emergency First Responder Services

Sections:

3.36.010 Purpose.

3.36.020 Establishment of fees.

3.36.030 Fee collection and administration

3.36.040 Definitions of terms used in this Chapter.

3.36.050 No effect on medical emergency first responder services

3.36.060 No waiver of other means of cost recovery.

3.36.010 Purpose.

The purpose of this chapter is to establish a fee related to the cost of providing medical emergency first responder services.

3.36.020 Establishment of Fees.

A. For each emergency incident where the city provides medical first responder services and the recipient is transported to a hospital, the city may charge a first responder fee to the recipient of the services. The city council shall establish the amount of the first responder fee by resolution. The cost charged under this chapter shall be calculated using the cost reasonably borne to provide the service determined under Chapter 3.32.

B. The fee charged shall be deemed a debt to the city of the recipient, or in the case of a minor, of his or her parent or legal guardian. Any person owing money shall be liable in an action brought in the name of the city for recovery of such amount, including reasonable attorney fees.

3.36.030 Fee Collection and Administration.

A. The Fire Chief, or designee, will develop policies and procedures for the administration and collection of the first responder fee.

B. The policies and procedures will include discharging accounts that are not collectible, and will include a process for contesting an invoice issued under this chapter. If an invoice is contested, the Fire Chief, or his or her designee, may grant a reduction or waiver of the fee where the level of response or services provided do not justify application of the charges incurred.

C. The policies and procedures will require the city to bill the recipient and the insurer, if any, for payment of the first responder fee. In the case of a minor, the city will bill the parent or guardian of the recipient who received the services and the insurer, if any.

D. The Fire Chief, or designee, may establish a compassionate billing policy. Such policy will allow a reduction or waiver of the first responder fee due to a demonstrated financial hardship, and may include a payment plan. A determination of a financial hardship shall be based on the most recent Federal Poverty Level chart provided by the Department of Health and Human Services. The policy will allow the City to accept payment from insurer(s) as the full payment for the recipient's fee obligation, based upon the recipient's financial hardship.

E. The Fire Chief, or designee, may delegate some or all of the tasks required for the administration of the first responder fee.

3.36.040 Definition of terms used in this Chapter.

For purposes of this chapter, the following definitions apply:

A. "Fire Chief" means the Chief of the City of Rocklin Fire Department or his or her designee.

B. "First responder fee" means the fee established pursuant to this chapter and charged to each person to whom the city provides medical emergency first responder services to recover the costs for providing such services. This fee is a separate billable item than an ambulance transport fee.

C. "Insurer" means the recipient's medical insurance provider, including a state or federal public health insurance program, or automobile insurer.

D. "Recipient" means the person to whom the city provides medical emergency first responder services and is transported to a hospital.

E. "Services" means medical emergency first responder services, including medical assessment provided by first responders on emergency medical calls, automobile collisions with injuries, or other such injuries.

3.36.050 No effect on medical emergency first responder services.

This chapter neither expands nor limits the city's provision of medical emergency first responder services. Services will be provided without regard to whether a person is insured, has the ability to pay the first responder fee, or has or has not paid the fee in the past.

3.36.060 No waiver of other means of cost recovery.

This chapter does not preclude the city from recovering its emergency response costs in any other manner authorized by law.

Section 4. Amend. Chapter 3.32 of Title 3 of the Rocklin Municipal Code, Section 3.32.050, subsection "D" is hereby amended to add the First Responder Fee, as follows:

3.32.050 – Service fees established.

D. Public Safety: Fire

Fire Construction Permits

Fire alarms

Commercial Fire sprinkler systems

Fire stand pipe system
Fire pump system
Special suppression system
Hood and duct system
Compressed gas systems inspection
Smoke management systems
Radio amplification systems
Spray booths
Underground water systems
Fire Code Board of Appeals
Special consultation services
Project plan revision review per hour
Off-hours inspections
Re-inspection
Open space & EVA
Electric gate inspection
Above ground tank
Underground tank

Fire Code Operational Permits & Inspections

Amusement building
Carnivals and Fairs
Combustible dust operations
Covered mall buildings
Exhibits and trade shows
Explosives or blasting agents
Theatrical fire performance
High pile storage
Hot work operations
Industrial ovens
Lumber yards
Miscellaneous combustible storage
Places of assembly
Commercial day care facility
Institutional
Apartments/Hotels/Motels
Large family day care
Residential care facilities
Temporary membrane structures
Aerosol products
Candles/open flames
Combustible storage
Compressed gases
Cryogens

Dry cleaning
Dust producing operations/storage
Flammable/combustible liquids
Garage repairs/motor vehicle fuel
Hazardous materials
Hazardous production facilities
Hot food vendor-annual
Liquid petroleum gas
Organic coating application
Radioactive materials
Refrigeration equipment
Spraying or dipping
Tire storage
Wood products
Other fire code permits
Annual business general fire & life safety inspections
Other required inspections not specifically listed
Construction expedited plan review
Off hours inspection

Fire Services and Inspections

False alarm response
Vegetation management/grazing/nuisance abatement activities
Weed abatement
Emergency responses (spilled load, hazmat, DUI, etc.)
Fireworks sales permits (booths)
Public display of fireworks
Special pyrotechnic effects/entertainment (not fireworks)
Ambulance assistance
Will serve letters/special requests
Fire flow hydrant test
Fire board up contractor permit application
Fire board up use/evaluation
Knox box servicing

First Responder Services

Section 5. Effective Date. This ordinance shall take effect 30 days after the date of its adoption.

Section 6. Environmental. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have a significant effect on the environment).

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 7. Publication. Within 15 days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*, and shall post in the office of the City Clerk a certified copy of the City Councilmembers voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on February 11, 2020, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Greg Janda, Mayor

ATTEST:

Hope Ithurburn, Interim City Clerk

First Reading: 2/11/2020
Second Reading:
Effective Date: