



ORDINANCE 2023-1 (replaces 2016-1)

**AN ORDINANCE OF THE ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT REVISING
A SCHEDULE OF FEES, INCLUDING THE ADDITION OF NEW FEES**

The Board of Directors of the Albion-Little River Fire Protection District (the District) do ordain as follows:

1. AUTHORIZATION AND PURPOSE

This ordinance to revise a schedule of fees including the establishment of new fees is adopted pursuant to Section 13916 of the Health and Safety code which provides that the District may charge a fee to cover the cost of any service which the District provides or the cost of enforcing any regulation for which the fee is charged. This ordinance rescinds any other Fee Schedule Ordinance or Resolution.

2. APPLICABILITY

The schedule of fees set forth by this ordinance indicates fees charged pursuant to Sections 13917 and 13918 of the Health and Safety Code which provides that the District may charge residents of the district a fee which is less than the fee which it charges to nonresidents of the District and provides that the District may charge a fee to other public agencies.

3. WAIVER OF FEES

Pursuant to Health and Safety Code Section 13919, after adopting by resolution policies and procedures governing waivers, the Board of Directors may waive payment of a fee when it determines that payment would not be in the public interest.

4. COST RECOVERY OF SERVICES

A fee in accordance with the following schedules shall be paid to the District at the time of application or upon the receipt of an invoice for services rendered.

- a. The following field services may be cost recovered at the rate of \$80 per hour for office time and/or site visits** to anyone receiving those services. This rate may be billed for the actual time required (one hour minimum, subsequent time rounded to the nearest half hour) to provide the required: research, written report, and phone consultation. Costs for site visits or inspection will include travel time plus mileage at the current IRS rate for all required or requested:
- i.** Plan Reviews (all types).
 - ii.** Subdivision Reviews (minor or major).
 - iii.** All work required for commenting on Use Permits or Amendments to Existing Use Permits.
 - iv.** Fire Suppression Equipment Inspection (all types).
 - v.** Hydrant Tests or Inspections.
 - vi.** All work required for installation or removal of Combustible/Flammable Liquid Storage Tanks.
 - vii.** All requested inspections for licensing compliance.
 - viii.** All required outside professional services at actual cost plus a 10% administrative fee.
 - ix.** State Fire Marshal Annual Inspections for public facilities and businesses, **two hour minimum charge** and 10% administrative fee.

- b. **The following rates for Apparatus, Equipment and Personnel Responding to Emergencies may be charged to persons or entities receiving services from the Albion-Little River Fire Protection District, including non-tax paying public agencies, *excluding fire agencies with mutual aid agreements*. (All charges include cleaning and restocking.)**

Resource Type	Personnel Included	Fee	Per
Engine/Pumper	3	\$475	Hour
Rescue Unit	1	\$475	Hour
Tender	1	\$594	Hour
Utility/Patrol/Command Vehicle	1	\$357	Hour
Vehicle Extrication Equipment		\$357	Incident
Consumable Supplies			*Actual Cost
Hired Equipment			*Actual Cost
Additional Required Personnel		\$59	Each/Hour

*A 10% administration fee will be added to the price of resources billed at actual cost.

c. **Standby Services Rates**

Rates for apparatus, personnel, and equipment to standby shall be the same as emergency response rates, but with the following exceptions:

i. **STANDBY APPARATUS RATES**

The cost for apparatus will be the same as Emergency Response Rates, which does not include a charge for personnel costs. When members of the Fire Department are involved in emergency responses, they function as unpaid volunteers. The volunteer commitment does not include providing committed standby duty which often involves extended hours of work. Therefore, separate personnel charges shall apply as described below:

ii. **STANDBY PERSONNEL RATES**

All personnel - \$59 per hour each.

Note: The above labor rates are for straight time. Standard overtime rules will apply (time and one-half over eight (8) hours a day or 40-hours per week, double time over 12-hours per day).

Personnel Administrative Charges - a 10% Personnel Administrative Rate will apply to all personnel rates to cover the District's cost to provide the personnel. This consists of the employer's portion of payroll taxes and other administrative costs.

d. **Incident Response Rates**

The mitigation rates below are average "billing levels" and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided. These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance). Labor rates include an average department's actual burdened labor costs and not just a firefighter's wage. These include wages, retirement, benefits, workers comp, etc.

i. **MOTOR VEHICLE INCIDENTS**

Level 1 - \$516.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$588.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – MOTOR VEHICLE FIRE - \$718.00

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.

ADD-ON SERVICES:**Extrication - \$1,550.00**

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and the fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$474.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: Each incident may be billed as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ii. HAZMAT**Level 1 - \$832.00**

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

Level 2 - \$2,971.00

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 decontamination center.

Level 3 – \$7,012.00

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 @ \$336.00 per HAZMAT team.**

iii. FIRE INVESTIGATION**Fire Investigation Team - \$327.00 per hour****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.

iv. FIRES

Assignment - \$475.00 per hour, per engine / \$594.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire district has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

v. ILLEGAL FIRES

Assignment - \$475.00 per hour, per engine / \$594.00 per hour, per truck

When a fire is started by any person or persons that requires a fire district 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 district response at a cost not to exceed the actual expenses incurred by the fire district 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.

vi. WATER INCIDENTS

Level 1 - \$475 plus \$59 per hour per rescue person.

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). This will be the most common “billing level”. This occurs almost every time the fire department responds to a water incident.

Level 2 - \$950 plus \$59 per hour per rescue person.

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Level 3 - \$2,350 plus \$59 per hour per rescue person, plus \$119 per hour per HAZMAT team member

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decontamination 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.

Level 4

Itemized Response: Each incident may be billed as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

vii. BACKCOUNTRY OR SPECIAL RESCUE

\$475 for the first response vehicle plus \$59 per rescue person. Additional rates of \$475 per hour per response vehicle and \$59 per hour per rescue person.

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

viii. CHIEF RESPONSE

\$297 per hour

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

ix. MISCELLANEOUS / ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$475 per hour.

Truck billed at \$594 per hour.

Miscellaneous equipment billed at \$357.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels" for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

x. FIRE SAFETY INSPECTIONS - ANNUAL INSPECTIONS REQUIRED BY STATE FIRE MARSHAL (pursuant to H&S Code 13145 and 13146)

The improvements included in the table below and all reinspections shall be billed at \$80.00 per hour, 2-hour minimum charge. Site visits/inspections will include travel time plus mileage at the current IRS rate (65.5 cents per mile). Additionally, as described herein, a 10% administration fee will be charged.

Payment will be due at the time of application or upon the receipt of an invoice for services rendered.

The following services may be cost recovered at a rate of \$80.00 per hour for office time and/or site visits to anyone receiving those services. The rate may be billed for the actual time required (one hour minimum, subsequent time rounded to the nearest half hour) to provide the required: research, written report, and phone consultation.

Improvement Designation	Description
R-1	Hotels, Motels, Transient Occupancies
R-2	Two or more dwelling units, Apartments, Dormitories
R-2.1	Residential Care Facilities
R-4	Residential Care/Assisted Living
E	Educational Occupancies
I-3	Institutions

Penalties

Failure to correct a Fire Department Fire Code Violation by the required time may result in a \$100 fee per day until the violation is corrected.

Failure to follow a required Fire Department Stop Work Order shall result in a \$200 fee per day until the violation is corrected.

e. Medical Supplies and Equipment Rates

Consumable medical supplies and equipment (e.g., oxygen, splinting materials, patient packaging for spine immobilization, etc.) will be billed at actual cost.

Note: The cost of providing Scene Management, Traffic Control, Patient Assessments and Medical Evacuation Helicopter coordination, including establishing and securing helicopter landing zones, is included in the billing for apparatus.

f. Administrative Services Rates

Incident Reports	\$5.00 each
Copies of Code Excerpts	\$5.00 each up to 5 pages, \$1.00 per each additional page
Copies of other Documents	\$5.00 each up to 5 pages, \$1.00 per each additional page
Photographs	\$10.00 each
Postage	Actual Cost
Administrative Billing Fee	\$45.00 per Incident

Any constituent wishing to receive meeting notices, agendas and/or meeting packets by mail may do so by written request per California Government Code Section 54954.1 for a fee not to exceed the cost of providing the service.

g. Third Party Services Rates

Any third party services required may be billed at the actual cost billed for the services.

h. False Fire Alarm Response Rates**i. ALARM COMPANIES**

Alarm companies providing services within the response area of the Albion-Little River Fire Protection District may be billed for responses to third and subsequent false alarms utilizing the Apparatus, Equipment and Personnel fee schedule in Section 4, Paragraph B above, when no apparent valid cause is discovered for the alarm sounding. Examples of "valid cause" include, but are not limited to, activation of the manual pull station, the presence of smoke, or heat from any source. Alarm companies may be billed for all apparatus that respond to the call (if the alarm is canceled prior to any apparatus responding, no fees will be charged). Alarm companies may also be billed for Fire Department response to alarm companies testing equipment and failing to notify dispatch of the test.

ii. PROPERTY OWNERS AND RESIDENTS

Property owners or residents residing within the District may be charged for the third and subsequent False Alarm responses to structures under their control if it is determined the alarms were generated by their actions and do not involve "good intent", i.e., repeatedly triggering a false alarm by creating dust during cleaning and failing to notify the alarm company or repeatedly triggering a false alarm response from the normal operation of heating or cooking equipment. Property owners or residents will be billed at one half the rates established in Section 4, Paragraph B.

i. Out-of-District Response

The Albion-Little River Fire Protection District provides services to approximately 150 square miles that are adjacent to the district but not included in it. Property owners and residents within these areas receive services but provide no income to the District. Anyone receiving services in these areas may be charged for the cost of providing the service as defined in Sections A through G.

j. Strike Team Rates

Strike Team rates will be governed by a separate contract.

5. SEVERABILITY

If any section, subsection, sentence, phrase or clause of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board hereby declares that they would have adopted the ordinance and each section despite the fact that any one or more sections, subsections, sentences, phrases or clauses be declared invalid.

6. OTHER INFORMATION

All fees are due and payable within thirty (30) days of being invoiced. After 30 days, a service charge of 1.5% per month will be assessed on the remaining balance. Any fees unpaid after 60 days may be turned over to a collection agency. Note, additional fees will be assessed for Fire Code violations as described in "Penalties" item 4x above.

7. EFFECTIVE DATE:

This ordinance shall take effect and be in force thirty (30) days after its adoption and prior to the expiration of fifteen (15) days from the passage thereof notice of said Ordinance will be published twice in the local area newspaper of general circulation in the County of Mendocino, State of California.

PASSED AND ADOPTED, by the Board of Directors of the Albion-Little River Fire Protection District, County of Mendocino, State of California, on November 15, 2023, by the following vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Director Greenberg	X			
Director Linstedt	X			
Director Welty	X			
Director Acker	X			
Director Christensen				X

Chuck Greenberg 11/15/23
Chuck Greenberg, President
Albion Little River Fire Protection District
Board of Directors

ATTEST:

Pam Linstedt Dated 11/15/23
Pam Linstedt, Vice President
Albion Little River Fire Protection
District Board of Directors