

**Proposed
Town of Waldoboro, Maine
Fire Department Service Billing Ordinance**

**Section 1.
Title, Authority, Purpose, and Definition**

A. Title

This ordinance shall be known and cited as the Fire Department Service Billing Ordinance of the Town of Waldoboro, Maine, and will be hereinafter referenced to as the “Ordinance”.

B. Authority

This ordinance is adopted pursuant to municipal home rule ordinance authority and Title 30-A, M.R.S.A. Section 3001.

C. Purposes

The Waldoboro Fire Department is engaged in providing fire suppression, fire rescue and fire safety services; and in consideration of services rendered hereby desires to set the following billing policy for fire department services.

The purposes of this ordinance are:

- 1.** To protect the citizens of Waldoboro from potential expenses incurred through emergency response and services provided.
- 2.** To compensate the town of Waldoboro for use of town resources in response to false alarms, bomb threats, fires caused by arson, illegal burning, fires caused by violation of the fireworks ordinance, traffic incidents, motor vehicle accidents and incidents involving operating under the influence (O.U.I.).
- 3.** To promote the health, safety, and general welfare of Waldoboro residents. Our goal is to provide excellent service to our citizens. Fire services will not be denied due to a person’s lack of adequate funds or insurance. No one should hesitate to call 9-1-1 if emergency services are needed.

D. Definitions

Arson: the criminal act of deliberately setting fire to property.

Bomb Threat: verbal or written notice, to detonate an explosive or incendiary device to cause property damage, death, or injuries, whether or not such a device actually exists.

Costs: expenses incurred in/of emergency response, traffic control, extrication of victims, control of hazardous or other materials, control of fire, or overall scene safety

False Alarm: an alarm that is set off needlessly, that causes the fire department to respond when not needed and a true emergency is proven to be unfounded.

Fault: the individual indicated of wrong doing as contained in a police incident report, or by the incident commander in the fire department incident report.

Fire Chief: the officer in charge of fire department operations.

Fireworks: a combustible or explosive device for producing a striking display of light or a loud noise, used for signaling or as part of a celebration.

Illegal Burning: a person who illegally sets fire to property or goods without a permit or violates the conditions of a Maine Forest Service Open Burning Permit.

Incident Commander: is the designated person responsible for all aspects of an emergency scene; including response, developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved.

Individual: any person, corporation, partnership, firm, organization, or other legal entity.

Motor Vehicle Accident: when a vehicle collides with another vehicle, pedestrian, animal, road debris, or other stationary obstruction, such as a tree or utility pole.

O.U.I.: operation of motor vehicle while under influence of liquor or drugs

Resident of the town of Waldoboro: Any individual domiciled in the town of Waldoboro as of the date that the incident occurred and/or services were offered and or rendered.

Traffic Incident: any roadway event to which the Waldoboro Fire Department was dispatched, or requested by Lincoln County Communication Center, written mutual aid agreement, or any other state or local agency.

Section 2:
Availability, Conflicts, Affective Date and Amendments.

A. Applicability

- 1.** The provisions of this ordinance shall govern all emergency incident scenes to which the Waldoboro Fire Department is dispatched or requested by the Lincoln County Communication Center, written mutual aid agreement, or any state or local agency to: control or confine hazardous materials; extinguish fire, or overall scene safety.
- 2.** This ordinance shall be applicable to all individuals who receive emergency services provided by the Waldoboro Fire Department as specified in this ordinance.
- 3.** Any alarm system that causes the transmission of a false alarm to Lincoln County Communication Center, and subsequent response by the fire department, three (3) times in any given calendar year shall pay the service fees for each subsequent false alarm. This is intended to include, but shall not be limited to; any alarm caused by malfunctioning equipment, or improperly maintained or monitored equipment. For purposes of this ordinance, this term is not intended to include transmissions caused by power outage, electrical storm, or other weather-related malfunction.

B. Responsibility

- 1.** Any individual, who is deemed at “fault” will be responsible for the cost of any services as described in Section 3, “Applicability” and will be held responsible for the cost of those services offered and/or rendered.
- 2.** In the event that no fault is determined, the individuals who receive and/or had the services offered will be responsible for those costs.

Section 3:
Administering and Collections

A. Administering Bodies and Agents

1. Fire Chief: The Municipal Fire Chief of the town of Waldoboro, or his/her designated agent, hereinafter called the Fire Chief, and shall be responsible for:

a. It shall be the duty of the Fire Chief to issue all bills relating to this Ordinance within thirty (30) days from the date of the incident.

b. A copy of such notices and fees collected shall be submitted to the Municipal Officers to be maintained as a record.

c. The Municipal Officers shall have the authority to institute legal actions when the above action does not result in payment, or if payment is not received within sixty (60) days from the date that the bill was submitted to the individual. The Municipal Officers upon notice from the Fire Chief will have the option to institute any and all actions and proceedings which may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town of Waldoboro.

2. It shall be the duty of the Fire Chief, to keep a complete record of all incident-billing transactions for the Waldoboro Fire Department. Including individuals involved in the incident.

a. The Fire Chief shall keep an up to date cost schedule for fire department apparatus, equipment, materials, and manpower for billing purposes.

Given under our hands at Waldoboro, Maine this twenty third day of September A.D., 2014 the "*Proposed Town of Waldoboro Maine, Fire Department Service Billing Ordinance*". This Proposed Ordinance will be placed on the November 4, 2014, Special Town Meeting Warrant.

Witness to All:

Linda-Jean Briggs
Town Manager

Clinton Collamore, Chairman

Ronald L. Miller, Vice Chair

Joanne Minzy

Theodore M. Wooster

Carl W. Cunningham

**Board of Selectmen
Waldoboro, Maine**