

**TOWNSHIP OF BASS RIVER
BURLINGTON COUNTY, NEW JERSEY
ORDINANCE NO. 2015-04**

**ORDINANCE AMENDING CHAPTER 8.09 OF THE BASS RIVER TOWNSHIP
CODE TO INCLUDE MITIGATION RATES FOR EMERGENCY AND FIRE
SERVICES**

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Township of Bass River hereby amends Chapter 8.09 of the Bass River Code to add Section 8.09.020, "Mitigation Rates." The purpose of the amendment is for the New Gretna Volunteer Fire Company to implement a fair and equitable procedure by which to collect mitigation rates in certain circumstances.

Section 2. Findings. The emergency services response activity to incidents continues to increase each year. Department of Environmental Protection and Homeland Security requirements for equipment and training create additional demands on all operational aspects of the services of the Fire Company.

The Fire Company 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. Maintaining an effective response by the fire company 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.

The Fire Company desires to implement a fair and equitable procedure by which to collect mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines.

Section 3. Mitigation Rates. Chapter 8.09 of the Bass River Code is amended to add Section 8.09.020, "Mitigation Rates," to read as follows:

(a) The Fire Company shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire company for personnel, supplies, and equipment to the scene of emergency and non-emergency incidents as listed in the Mitigation Appendix adopted with this ordinance. The Mitigation Appendix shall be kept on file with the Township Clerk. The mitigation rates shall be based on actual costs of services and that which is usual, customary, and reasonable, which may include any services, personnel, supplies, and equipment and with baselines established by necessary addendums to the Mitigation Appendix. Labor is not a part of these mitigation rates.

(b) A claim for mitigation rates shall be served on the responsible party through their insurance carrier, if any. If there is no carrier, the responsible party shall be served

directly. The Township and Mayor shall be copied on all mitigation rate claims, and each claim shall be reported to the Governing Body.

(c) The Fire Company may from time to time amend, revoke, or add rules and regulations to the Mitigation Appendix to the extent consistent with this ordinance. Any such rules or amendments shall be filed with the Township Clerk, who shall notify the Governing Body.

(d) The Governing Body may cancel any mitigation rate for a responsible party on 5 days notice to the Fire Department.

Section 4. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 5. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Township Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Township Code.

Section 6. Codification. This ordinance shall be codified as Section 8.09.020, "Mitigation Rates," Chapter 8.09 of the Bass River Township Code.

Section 7. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed by the Township Board of Commissioners on first reading at a meeting of the Township of Bass River held on the 5th day of October, 2015, and will be considered for second and final passage at meeting of the Township Board of Commissioners to be held on the 2nd day of November, 2015, at 7 p.m. at the Municipal Building located at 3 North Maple Avenue, New Gretna, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Amanda S. Somes, RMC, Township Clerk

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

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

Level 2 - \$495.00

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 company has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$605.00

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.

Level 4 - \$1,800.00

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). We will bill at this level if the fire company 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 fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Level 5 - \$2,200.00

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter is utilized to transport the patient(s).

Level 6

Itemized Response: You have the option to bill each incident 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.

HAZMAT

Level 1 - \$700.00

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

Level 2 - \$2,500.00

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 decon center.

Level 3 – \$5,900.00

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 @ \$300.00 per HAZMAT team.**

PIPELINE INCIDENTS / POWER LINE INCIDENTS

(Includes, but not limited to: Gas, Sewer, Septic to Sewer, and Water Pipelines)

Level 1 - \$400.00

Basic Response: Claim will include engine response and first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.

Level 2 - \$1,000.00

Intermediate Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.

Level 3– Itemized Claim Charges

Advanced Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair of intermediate to major pipeline damage. May include set-up and removal of decon center, detection, recovery and identification of material. Disposal and environment clean up.

FIRE INVESTIGATION

Fire Investigation Team - \$275.00 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.

FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 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 company responds to an incident.

OPTIONAL: fire company 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.

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

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

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 company has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

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 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.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident 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.

BACK COUNTRY OR SPECIAL RESCUE

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.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 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 \$250 per hour.

MISCELLANEOUS

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on

the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense").

FALSE ALARM BILLING RATES

- (a) The first false alarm within a twelve (12) month in a calendar year is free of charge.
- (b) The second (2nd) false alarm in a twelve (12) month calendar year is billed at \$100.00.
- (c) The third (3rd) false alarm in a twelve (12) month calendar year is billed at \$200.00.
- (d) The fourth (4th) through (6th) false alarms in a twelve month (12) calendar year are billed at \$300.00 per event not to exceed \$500.00 per calendar year.