

BLACK CREEK TOWNSHIP  
LUZERNE COUNTY, PENNSYLVANIA

ORDINANCE NO. 1 of 2014

AN ORDINANCE OF BLACK CREEK TOWNSHIP, LUZERNE COUNTY,  
PENNSYLVANIA, AMENDING CHAPTER 8, FIRE PROTECTION AND  
PREVENTION, OF THE CODE OF ORDINANCES, TO ADD PART 7,  
REIMBURSEMENT OF COSTS FOR EMERGENCY SERVICES

§701. **Definitions.** As used herein, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

(a) **Emergency Services** - includes any service performed by a volunteer emergency services organization relating to any disaster, hazardous material incident, fire, industrial or private security or fire alarm systems incident, industrial accident, auto accident, or any other situation, incident or event that does or may present a potential danger, hazard or threat to the public health, safety and welfare.

(b) **Volunteer Emergency Services Organizations** - includes any non-governmental volunteer organizations such as the Nuremberg-Weston Volunteer Fire Company and any other organization located within Black Creek Township that provides or performs volunteer emergency services. This definition includes fire protection services, fire police services, volunteer rescue squads, and volunteer hazardous material response teams.

§702. **Authorization of Services and Equipment.** The Township authorizes all Volunteer Emergency Services Organizations to provide the labor, personnel, tools, equipment and materials necessary to perform emergency services as authorized by law, statute, rule, regulation, resolution or ordinance within the Township or any other area in which a Volunteer Emergency Services Organization is authorized by the Township or contracted with to provide such services.

§703. **Schedule of Fees, Costs and Expenses.** Black Creek Township Supervisors may by resolution, from time to time, establish, revise, amend or rescind a schedule of fees for the emergency services, labor, personnel, tools, equipment and materials referred to herein. The current schedule of fees is as follows:

(a) Apparatus

Engine:	\$350.00 Per Hour
Aerial/Ladder:	\$400.00 Per Hour
Rescue:	\$300.00 Per Hour
Squad/Utility/Support	\$150.00 Per Hour

(b) Equipment/Service

SCBA	\$50.00 Each
Hose (per 50')	\$25.00

Gas/Co Detector	\$50.00 per use
Extinguisher (any class)	\$50.00 per use
Personnel Hours	\$30.00 hour per member
Hand Tools	\$15.00 each
Hydraulic Rescue Tools	\$200.00 each
Scene Lighting	\$75.00 per hour
Oil Absorbent Sheets	\$10.00 each
Portable Pumps	\$30.00 per hour
Power Tools	\$50.00 each
Road Closing/Traffic Control	\$100.00 per hour
Salvage Covers	\$35.00 each
Debris Cleanup/Removal	\$250.00
Flares	\$8.00 each
Ventilation Fans	\$50.00 each
IR Camera	\$100.00 each
Foam	\$60.00 per gallon
Cribbing:	
-Passenger	\$100.00 each
-Class B	\$200.00 each
-Trucks-Class A	\$500.00 each
Stabilization Struts	\$50.00 per use
Latex Gloves	\$2.00 per pair
Ladders	\$35.00 per use
Medical Extrication (w/hydraulics)	\$1,500.00 per patient
Generator	\$50.00 per hour
Hand Lights	\$5.00 per use
Fire Line Tape	\$0.25 per foot

**§704. Requirement to Pay for Costs, Fees and Expenses.** A person shall be liable for the costs, fees and expenses incurred by a Volunteer Emergency Services Organization that provides emergency services, labor, personnel, tools, equipment and materials unless the person has:

(a) Paid to the municipality where the volunteer emergency services organization is located, a tax which funds at least in part emergency services;

(b) Paid to a municipality a tax which funds at least in part emergency services and which municipality has contracted with the volunteer emergency services organization to perform emergency services for a fee paid by the municipality to the volunteer emergency services organization; or

(c) Paid dues or a monetary contribution to the volunteer emergency services organization within the preceding 12 months from the date that the emergency services were provided.

**§705. Reimbursement Procedures.**

(a) **Billing, Charges and Invoicing.** Volunteer Emergency Services Organizations may bill, charge or invoice for the costs, fees and expenses associated with providing emergency services, including labor, personnel, tools, equipment, and material.

(b) **Recovery of Costs.** When a person receives a bill or invoice for reimbursement from the charges of a volunteer emergency services organization, the person shall be responsible for its payment. If the person is forwarding the bill or invoice to an insurance carrier, the person must first notify the volunteer emergency services organization that he or she is doing so, which notice must include the name, address, telephone number, insurance policy number, and contact person for the insurance carrier. However, the forwarding of a bill to an insurance carrier shall not relieve a person from the financial responsibility for payment of the bill or invoice.

**§706. Enforcement.** In the event that any insurance carrier or person fails to pay any bill or invoice within 30 days of the mailing or delivery of such notice of charges, the volunteer emergency services organization who mailed or delivered the bill or invoice may enforce the provisions of this Ordinance by filing a civil action at law in a court of competent jurisdiction for the collection of any amounts due to that volunteer emergency services organization together with statutory interest, court costs, collection fees and/or reasonable attorney's fees. The remedies provided herein shall be in addition to any other relief, remedies or penalties that may be appropriate or provided by law.

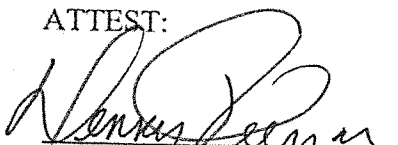
**§707. Severability.** The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provisions or application.

**§708. Repealer.** Any and all other ordinances, resolutions or parts thereof inconsistent herewith are expressly repealed by the adoption of this ordinance.

Except as provided above, the provisions of Chapter 8 shall remain the same.

ENACTED and ORDAINED this 13<sup>th</sup> day of September, 2016.


ATTEST:

  
Secretary

BOARD OF SUPERVISORS OF  
BLACK CREEK TOWNSHIP

  
Chairperson

  
Vice-Chairperson

  
Secretary/Treasurer