

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 34, “EMERGENCY SERVICES,” TO BE ENTITLED “REIMBURSEMENT FOR SPECIALIZED RESCUE SERVICES”

WHEREAS, the City of Rolling Meadows (“City”), Cook County, Illinois, finds it in the best interest of the City to regulate, control, fix, charge and collect reasonable fees for fire, police or other specialized rescue services provided by the City; and

WHEREAS, the City has determined that reimbursement for specialized rescue services performed by the City promotes the health, safety and welfare of its residents, business owners and those receiving any such specialized rescue services; and

WHEREAS, the City has determined that the reimbursement for specialized rescue services performed by the City is an effective and efficient method of ensuring the safety of those individuals requiring specialized rescue services and improving the efficiency of the expenditure of public funds for private purposes; and

WHEREAS, the City has determined that it is necessary to establish a reimbursement program for specialized rescue services performed by the City as a means of ensuring the public safety.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois as follows:

Section One. Article V of Chapter 34, “Emergency Services,” is hereby amended as follows:

Article V. Reimbursement for Specialized Rescue Services.

DIVISION 1. GENERALLY

Sec. 34-257. Definitions.

For the purposes of this Article, “specialized rescue services” shall mean the structural collapse, trench collapse, below grade rescue, tactical rescue, high angle rescue, high elevation rescue above four stories, water rescue or recovery, confined space rescue, rescue requiring the assistance of non-City of Rolling Meadows personnel or equipment, or other non-routine rescues which require one or more participants to have specialized training, abilities or certifications.

Sec. 34-258. Reimbursement for Specialized Rescue Services.

A fee is hereby imposed to reimburse the City of Rolling Meadows for specialized rescue services provided, managed or directed by the City of Rolling Meadows Fire Department and/or Police Department in an amount sufficient to reimburse the City for the total, reasonable cost of providing those rescue services, which costs shall include:

- (a) personnel costs at the scene of the specialized rescue, as well as any callback costs, resulting from the need to have additional City employees cover non-specialized rescue work while other personnel are participating in the specialized rescue. Said costs shall not exceed the personnel costs set forth in Appendix B of this Code; and
- (b) vehicular and equipment costs used at the specialized rescue at a rate not to exceed the vehicular and equipment costs set forth in Appendix B of this Code; and
- (c) disposable equipment costs used at the scene of the specialized rescue; and
- (d) the actual cost to the City of having to use any non-City owned resources to accomplish the specialized rescue.

The total fee for a specialized rescue shall not exceed the actual cost of providing the specialized rescue service.

Sec. 34-259. Determining Specialized Rescue Fees.

After each specialized rescue, the Fire Chief and/or the Police Chief, or their designee, shall compute the specialized rescue fee allocable to the specialized rescue and in conformance with the standards set forth herein. The invoice for the specialized rescue fee shall be prepared by the City Finance Director and sent to the liable party.

Sec. 34-260. Liable Parties.

The fee shall be the responsibility of any of the following parties whose act or omission was a cause of the specialized rescue including, but not limited to:

- (a) the owner of the property on which the specialized rescue occurred;
- (b) any party involved in an act or omission that caused or contributed to the need for the specialized rescue;
- (c) a person or persons who are rescued during the emergency and his or her employer if the person was acting in furtherance of the employer's interests;
- (d) in cases involving the rescue or recovery of property, any person having control or custody of the property at the time of the emergency.

Sec. 34-261. Appeal of Fee.

A Liable Party may contest the reasonableness of any fee imposed as a result of a specialized rescue by filing a written notice of appeal with the City Manager not less than thirty (30) business days after the date of the invoice for the specialized rescue fee. The written appeal shall specify why a fee is unreasonable in sufficient detail as to explain the basis of the appeal. Within fourteen (14) calendar days after receipt of the notice of appeal, the City Manager shall set an evidentiary hearing on the appeal. It shall be the liable party's burden to establish that all or part of the specialized rescue fee is unreasonable. The City Manager may reduce the specialized rescue fee in any amount he or she deems reasonable.

Any denial of a request for waiver may be appealed directly to the City Council within fourteen (14) business days of the City Manager's decision.

Section Two. All ordinances or parts thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, expressly repealed.

Section Three. This ordinance shall become effective upon its passage, approval and publication in pamphlet form in the manner prescribed by law.

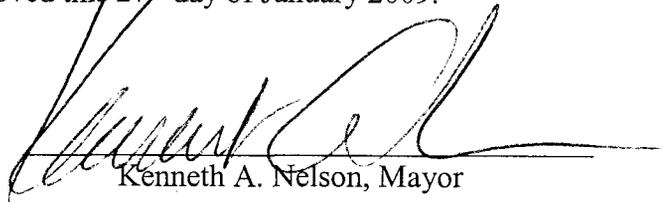
YEAS: Pitzafferro, Lusk, Buske, Rooney, Kwandras, Larsen

NAYS: Adams

ABSENT: 0

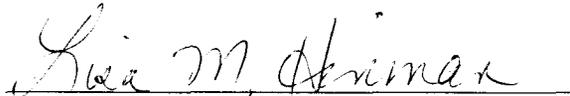
Passed this 27th day of January 2009.

Approved this 27th day of January 2009.



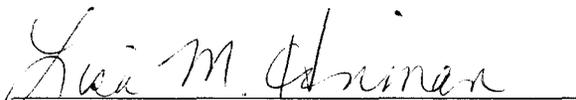
Kenneth A. Nelson, Mayor

ATTEST:



Lisa M. Hinman, City Clerk

Published this 28th day of January 2009.



Lisa M. Hinman, City Clerk