

CITY OF KEMPNER, TEXAS

ORDINANCE NO. 2012-01-10-001

AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS AUTHORIZING THE IMPOSITION AND COLLECTION OF AN EMERGENCY SERVICES FEE; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, there is a need for providers of emergency medical services and emergency firefighting services to provide such emergency response services within the City of Kempner;

WHEREAS, providers of such emergency services utilize certain apparatus, emergency tools, equipment, and materials as a means of saving lives and property and must assess a fee to recover costs for such services; and

WHEREAS, the purchase, repair and replacement of said tools, equipment, and materials associated with and attributable to the provision of emergency medical services and emergency firefighting services is necessary to enable the providers to provide of such services to continue to provide these services within the City of Kempner; and

WHEREAS, the City Council for the City of Kempner has determined that is necessary to authorize the imposition and collection of an emergency services fee for those emergency services that are provided within the City limits;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS, THAT:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Emergency Medical Services shall mean and refer to services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

Emergency Firefighting Services shall mean and refer to services used for immediate response to the actual threat or perceived threat of fire to prevent death, injury or property loss or damage.

Section 3. Emergency Services Fee Authorized. An emergency services fee is authorized to be assessed for the provision of emergency medical services and emergency firefighting services provided by a provider of such services within the City Limits of Kempner. The current approved emergency services fee is established in accordance with the fee schedule attached as Appendix A.

Section 4. Assessment and Collection of Emergency Services Fee. An emergency services fee may be imposed and collected for emergency medical services or emergency firefighting services provided by a provider of emergency medical services or emergency fire services within the City Limits of Kempner as authorized by this ordinance and in accordance with the fee schedule attached at Appendix A.

Section 5: Collection of Emergency Services Fee. The emergency services provider that assesses the emergency services fee authorized in this ordinance, or their authorized agent, shall submit an invoice to the person, entity or relevant insurance company covering the particular loss for the emergency services rendered. If it can be determined that there is no insurance coverage for a particular response which causes the provider of the emergency services to incur loss, damage, and wear and tear to apparatuses, tools, equipment, and materials, the provider of the emergency medical services or emergency firefighting services may collect the emergency services fee from either the person or entity that received the emergency medical services or emergency firefighting services, the person or entity responsible for the debts and/or obligations of the person or entity that received such emergency services, or the person or entity deemed or found responsible for the need for the emergency services.

Section 6. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances and sections thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 7. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Effective Date. This ordinance shall be effective upon its passage and publication in accordance with the Local Government Code.

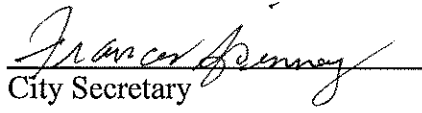
Section 10. Open Meetings. It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED BY ORDER OF THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS ON THIS THE 10TH DAY OF JANUARY, 2012.

AYE 4 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:


City Secretary


Mayor

worksheet2
Nov 4, 2010
11:57:41

WORK SHEET #2
(Enter Unit of Measure & Charges)

DEPT. Kempner Volunteer Fire Department

Co#: 1

Name: _____

Phone: (_____) _____

B=Bag, G=Gallon, F=Foot
I=Incident, Q=Qty, T=Time

Item Description	Circle Unit Of Measure	-- Time only-- Minutes /unit	Clock Req.	--- BASE --- Charge/Units	Additional Charge/Units
FM-115 Roadway Clean Up Non Hazmat	INCIDENT		<u>Y</u> <u>N</u>	<u>100.00/ 1.00</u>	<u>100.00/ 1.00</u>
FT-101 Engine 1 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>525.00/ 4.00</u>	<u>131.25/ 1.00</u>
FT-102 Engine 2 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>525.00/ 4.00</u>	<u>131.25/ 1.00</u>
FT-121 / Tanker 1 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-122 Tanker 2 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-131 Brush 20 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-132 Brush 21 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-133 Brush 23 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-134 Brush 24 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-135 Brush 25 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-140 Booster 22 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-141 Booster 26 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>425.00/ 4.00</u>	<u>106.25/ 1.00</u>
FT-142 Unit 30 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>225.00/ 4.00</u>	<u>56.25/ 1.00</u>
FT-143 Support 1 Response	TIME SPENT	<u>15</u>	<u>Y</u>	<u>225.00/ 4.00</u>	<u>56.25/ 1.00</u>

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FE-112 Ppv Fan P/Hr	TIME SPENT	<u>15</u>	<u>Y</u>	<u>65.00/ 4.00</u>	<u>16.25/ 1.00</u>
FE-129 Portable Generator P/Hr	TIME SPENT	<u>15</u>	<u>Y</u>	<u>65.00/ 4.00</u>	<u>16.25/ 1.00</u>
FE-120 Float Pump P/Hr	TIME SPENT	<u>15</u>	<u>Y</u>	<u>78.00/ 4.00</u>	<u>19.50/ 1.00</u>
FE-114 Chain Saw P/Hr	TIME SPENT	<u>15</u>	<u>Y</u>	<u>55.00/ 4.00</u>	<u>13.75/ 1.00</u>
FH-101 Flathead Ax	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-102 Pickhead Ax	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-103 Long Pike Pole	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-104 Sheetrock Pike Pole	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-105 Short Pike Pole	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-107 Halligan Tool	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-108 Bolt Cutter	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-109 Pry Bar	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>
FH-110	QTY USED	_____	<u>Y N</u>	<u>21.00/ 1.00</u>	<u>21.00/ 1.00</u>

Fire Rake

FH-111 Shovels QTY USED _____ Y N 21.00/ 1.00 21.00/ 1.00

FH-112 Fire Flappers QTY USED _____ Y N 18.00/ 1.00 18.00/ 1.00

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FM-313 Broom	QTY USED	_____	Y N	18.00/ 1.00	18.00/ 1.00
SUB001 All Other Handtools	QTY USED	_____	Y N	18.00/ 1.00	18.00/ 1.00
FE-101 Foam Nozzle	QTY USED	_____	Y N	65.00/ 1.00	65.00/ 1.00
FE-102 Foam Eductor	QTY USED	_____	Y N	60.00/ 1.00	60.00/ 1.00
FE-104 Class A Foam	GALLON	_____	Y N	26.00/ 1.00	26.00/ 1.00
FE-105 Piercing Nozzle	QTY USED	_____	Y N	47.00/ 1.00	47.00/ 1.00
FE-106 M/S Fog Nozzle	QTY USED	_____	Y N	65.00/ 1.00	65.00/ 1.00
FE-107 M/S Straight Bore Nozzle	QTY USED	_____	Y N	35.00/ 1.00	35.00/ 1.00
FE-108 Salvage Cover	QTY USED	_____	Y N	33.00/ 1.00	33.00/ 1.00
FE-109 Scba Pack	QTY USED	_____	Y N	95.00/ 1.00	95.00/ 1.00
FE-127	QTY USED	_____	Y N	35.00/ 1.00	35.00/ 1.00

Barricade Tape Per Roll

HE-116 Gas Multi Meter	QTY USED	<u> </u>	<u>Y N</u>	<u>70.00/ 1.00</u>	<u>70.00/ 1.00</u>
HE-117 Co Meter	QTY USED	<u> </u>	<u>Y N</u>	<u>70.00/ 1.00</u>	<u>70.00/ 1.00</u>
RE-101 Spreaders	INCIDENT	<u> </u>	<u>Y N</u>	<u>300.00/ 1.00</u>	<u>300.00/ 1.00</u>
RE-102 Cutters	INCIDENT	<u> </u>	<u>Y N</u>	<u>300.00/ 1.00</u>	<u>300.00/ 1.00</u>
RE-103 Rams	INCIDENT	<u> </u>	<u>Y N</u>	<u>300.00/ 1.00</u>	<u>300.00/ 1.00</u>

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Item Description	Circle Unit Of Measure	-- Time only-- Minutes Clock Req.	--- BASE --- Charge/Units	Additional Charge/Units	
RE-104 Air Bags	INCIDENT	<u> </u>	<u>Y N</u>	<u>300.00/ 1.00</u>	<u>300.00/ 1.00</u>
RE-105 K-12 Saw	QTY USED	<u> </u>	<u>Y N</u>	<u>65.00/ 1.00</u>	<u>65.00/ 1.00</u>
RE-111 Rescue Blanket	QTY USED	<u> </u>	<u>Y N</u>	<u>34.00/ 1.00</u>	<u>34.00/ 1.00</u>
SUB051 Cribbing Per Vehicle	QTY USED	<u> </u>	<u>Y N</u>	<u>38.00/ 1.00</u>	<u>38.00/ 1.00</u>
SUB052 Cribbing Per Incident	INCIDENT	<u> </u>	<u>Y N</u>	<u>113.00/ 1.00</u>	<u>113.00/ 1.00</u>
SUB053 Stokes Basket	QTY USED	<u> </u>	<u>Y N</u>	<u>50.00/ 1.00</u>	<u>50.00/ 1.00</u>
SUB055 Rescue Rope	QTY USED	<u> </u>	<u>Y N</u>	<u>35.00/ 1.00</u>	<u>35.00/ 1.00</u>
SUB055	INCIDENT	<u> </u>	<u>Y N</u>	<u>225.00/ 1.00</u>	<u>225.00/ 1.00</u>

Extrication Major

SUB056

Extrication Minor

INCIDENT

Y N

125.00/ 1.00

125.00/ 1.00