

**ORDINANCE NO. 2010-02**

**AN ORDINANCE OF THE SALTON COMMUNITY  
SERVICES DISTRICT ALLOWING FOR THE RECOVERY OF  
CERTAIN FIRE DEPARTMENT COSTS AND EXPENSES**

The Board of Directors of the Salton Community Service District ordains as follows:

SECTION 1: A new Chapter 10.0 of the ordinances of the Salton Communities Service District is hereby established to read as follow:

**CHAPTER 10.0**

**FIRE DEPARTMENT FEES AND REVENUES**

10.10.010 Definitions

A. Whenever the word "hazardous material response" is used in this code it shall be held to mean any fire department response requiring hazardous material equipment, personnel, supplies or actions, even if the original response was not initially declared a hazardous material incident/response.

B. Whenever the term "HAZMAT vehicles" is used in this code it shall be held to mean any fire department response requiring hazardous material vehicles, equipment or supplies, even if the original response was not declared a hazardous material incident/response.

C. Whenever the term "HAZMAT positions" is used in this code it shall be held to mean any fire department response requiring hazardous material trained personnel, even if the original response was not declared a hazardous material incident/response. Personnel shall be considered "HAZMAT positions" only if their actions are directly related to a "hazardous material response".

10.10.020. Fire Department Fees.

The following fees are hereby established:

A. Emergency Response Fees

1. Incident Command System Overhead Positions.

- a. Chief Officers shall be billed at fifty dollars (\$50) per hour.
  - b. Captains, and assigned division and group commanders shall be billed at fifty dollars (\$50) per hour.
  - c. All other positions shall be billed at thirty-five dollars (\$35) per hour.
2. Agricultural Burns That Are Out of Control, Permitted Burns That Are Out of Control, Non-Permitted Burns and Unattended Fires.
- a. Engine(s) /tender(s) /Type III Brush Truck(s) cost shall be billed at forty-five dollars (\$45) per hour.
  - b. Ladder Trucks shall be billed at one hundred dollars (\$100) per hour.
  - c. All other vehicles, excluding HAZMAT vehicles, shall be billed at thirty five dollars (\$35) per hour.
  - d. Chief Officers shall be billed at fifty dollars (\$50) per hour.
  - e. Captains, and assigned division and group commanders shall be billed at fifty dollars (\$50) per hour.
  - f. Fire fighters and all other positions, excluding HAZMAT positions, shall be billed at thirty five dollars (\$35) per hour.
3. Residential Structure Fires and/or Adjacent Structures
- a. Within the district response area:  
Maximum fee of one thousand dollars (\$1000) for single story/single family residential structures and/or adjacent single story/single residential exposures. Commercial, industrial, multiple story residential, multi-unit, and public structure(s) exposures shall be billed per schedule in 10.10.020.A.1.a,b,c, and 10.10.020.A.2.a,b,c,d,e,f.
  - b. Outside the district response area:
    1. Engine(s) /tender(s) /Type III Brush Truck(s) cost shall be billed at forty-five dollars (\$45) per hour.
    2. Ladder Trucks shall be billed at one hundred dollars (\$100) per hour.
    3. All other vehicles, excluding HAZMAT vehicles, shall be billed at thirty five dollars (\$35) per hour.

4. Chief Officers shall be billed at fifty dollars (\$50) per hour.
  5. Captains, and assigned division and group commanders shall be billed at fifty dollars (\$50) per hour.
  6. Fire fighters and all other positions, excluding HAZMAT positions, shall be billed at thirty five dollars (\$35) per hour.
4. Commercial, Industrial, Multiple Story Residential, Multi-Unit, and Public Structures Fires and Exposures.
- a. Engine(s) /tender(s) /Type III Brush Truck(s) cost shall be billed at forty-five dollars (\$45) per hour.
  - b. Ladder Trucks shall be billed at one hundred dollars (\$100) per hour.
  - c. All other vehicles, excluding HAZMAT vehicles, shall be billed at thirty five dollars (\$35) per hour.
  - d. Chief Officers shall be billed at fifty dollars (\$50) per hour.
  - e. Captains, and assigned division and group commanders shall be billed at fifty dollars (\$50) per hour.
  - f. Fire fighters and all other positions, excluding HAZMAT positions, shall be billed at thirty five dollars (\$35) per hour.
5. Hazardous Material Response
- a. Hazardous material vehicle shall be billed at two hundred dollars (\$200) per hour.
  - b. Technicians/specialists shall be billed at fifty dollars (\$50) per hour.
  - c. All other positions and equipment shall be billed per schedule in 10.10.020.A.1.a,b,c, and 10.10.020.A.2.a,b,c,d,e,f.
  - d. Materials shall be billed at current replacement costs.
  - e. Responsible party shall be invoiced for the cost of personnel, equipment and or materials/supplies utilized in conjunction with the incident.
6. Vehicle Accident (Alcohol/Drug Related).
- a. Engine(s) /tender(s) /Type III Brush Truck(s) cost shall be billed at forty-five dollars (\$45) per hour.

- b. Ladder Trucks shall be billed at one hundred dollars (\$100) per hour.
- c. All other vehicles, excluding HAZMAT vehicles, shall be billed at thirty dollars (\$35) per hour.
- d. Chief Officers shall be billed at fifty dollars (\$50) per hour.
- e. Captains, and assigned division and group commanders shall be billed at fifty dollars (\$50) per hour.
- f. Fire fighters and all other positions, excluding HAZMAT positions, shall be billed at thirty five dollars (\$35) per hour.

10.10.030. Agreements

A. This ordinance shall not affect any prior mutual agreements/agreements/contracts already entered into for the 2010 calendar year or other period, which have fees/rates specifically stated in the agreement. If a current agreement does not specify any rates the rates of this ordinance shall apply to that agreement, unless prohibited by the agreement or by other law or ordinance.

10.10.040 Use of Fire Department Fees and Revenues

B. Any and all fees or revenues collected from any source, agreement or contract, future or currently in force for the fire department use and/or support shall only be used for direct fire department equipment, supplies, and operational expenditures and shall not be commingled with or transferred to any other Salton Community Services District funds or accounts, including the General Fund.

C. A separate fund and account(s) shall be established to handle any and all fire department fees or revenues collected from any source, agreement or contract, future or currently in force, for the fire department use or support, and any expenditures or disbursements.

D. Any and all fees or revenues collected from any source/agreement/contract, future or currently in force for the fire department equipment, supplies, operational expenditures, use/support shall not be used for/by any other Salton Community Services District department.

SECTION 3: All sections of this Ordinance shall take effect and shall be in force thirty (30) days after

the date of its adoption.

SECTION 4: If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Board of Directors hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 5. This Ordinance shall supersede any and all provisions of any previous resolution and/or ordinance approved by the Board of Directors that may conflict with, or be contrary to, this Ordinance.

SECTION 6. In accordance with California Government Code section 25124, before the expiration of fifteen days after its passage, the District Secretary shall cause a summary of this Ordinance to be published once, with the full names of the members voting for and against it, in a newspaper published in the county, and a certified copy of the full text shall be posted in the office of the Secretary of the District.

SECTION 7. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the Board of Directors of the Salton Community Services District, California, on November 16, 2010 in addition to November 30, 2010 and thereafter adopted at the regular meeting of the Board of Directors held on the 15th day of March, 2011, by the following vote:

AYES: Fran Aldridge, Dale Johnson, Salvador Gonzalez and John Fifield

NOES: None

ABSENT: Mary Kach

ABSTAIN: None

3/15/2011

Date

\_\_\_\_\_  
Fran Aldridge, Board President

ATTEST:

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Eric Salazar, District Secretary