

ORDINANCE NO 233-2018

Hallstead Borough

An ordinance of Hallstead Borough, Susquehanna County, Pennsylvania, authorizing the recovery of costs incurred by paid or volunteer emergency service when responding to automobile accident scenes and to other hazardous incidents which take place in the Hallstead Borough, Susquehanna County, Pennsylvania.

WHEREAS, The Borough of Hallstead has within its border, Hallstead Fire Company Station 7, providing fire, rescue and all emergency responses to the Borough of Hallstead.

WHEREAS, the Borough financially supports the Hallstead Fire Company Station 7.

WHEREAS, the Hallstead Fire company Station 7 is equipped to utilize certain emergency rescue tools and equipment as a means of saving lives and property; and,

WHEREAS, THE Hallstead Fire Company Station 7 has requested the Borough to enact an Ordinance for the recovery of the cost of said tools and equipment and the wear and tear upon such, for the cost of the specialized training required for the use of such and for replacement of materials used from time to time; and,

WHEREAS, insurance coverage is often available to effectuate the aforesaid cost recovery of the training utilizing of said tools, equipment and materials set by the Hallstead Fire Company Station 7; and,

WHEREAS, the Borough believes it is in the best interests of its citizens and the Hallstead Fire Company Station 7 to pass a resolution for the above purpose of effecting said costs recoveries by Hallstead Fire Company Station 7.

NOW, THEREFORE, BE IT RESOLVED by the governing body for Hallstead Borough that:

Section I: Any person who is involved in an automobile accident, or any other hazardous incidents within Hallstead Borough, Susquehanna County, Pennsylvania, shall be liable for the response costs incurred by Hallstead Fire Company Station 7. The Hallstead Fire Company Station 7 that undertakes a response action may recover those response costs in law or an action in equity brought before a court of competent jurisdiction.

Section II: in an action to recover response costs. Hallstead Fire Company Station 7 may include operational, administrative, personnel and legal costs incurred from its initial response action up to the time that it recovers its costs.

Section III: When used in this ordinance the term "response cost" includes, but is not limited to:

- A. Disposable materials and supplies acquired, consumed and expended specifically for the purpose of the response to the accident or incident:
- B. Rental or leasing of equipment used specifically for the response; for example, protective equipment or clothing and scientific and technical equipment;

- C. Replacement costs for equipment that is contained beyond reuse or repair during the response;
- D. Special technical services specifically required for the response; for example, costs associated with the time and efforts of technical experts or specialist;
- E. Other special services specifically required for the response; for example utility costs.
- F. Costs associated with the services, supplies and equipment used to conduct and evacuation during the response; and,
- G. Any other cost associated with the stabilization of vehicles and the ensuring that the accident scene is safe.

This ordinance shall become effective immediately upon passage.

ENACTED AND ORDAINED INTO AN ORDINANCE this 25th day of October 2018.

ATTEST

Cindy Gillespie

HALLSTEAD BOROUGH COUNCIL MEMBERS

Marta Bean VP
Robert Woodsman
RSK