

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2023-16



A RESOLUTION MODIFYING THE ESTABLISHED PROGRAM TO RECOVER COSTS FOR RESPONSE BY THE NORTH COUNTY FIRE PROTECTION DISTRICT TO CERTAIN INCIDENTS

WHEREAS, the North County Fire Protection District's emergency response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training and Homeland Security regulations involving equipment and training, create additional demands on all operational aspects of the North County Fire Protection District; and

WHEREAS, the North County Fire Protection District has investigated different methods to maintain a high level of quality of emergency service capability throughout times of constantly increasing service demands and decreasing revenue while maintaining an effective response by the North County Fire Protection District; and

WHEREAS, cost effective, specific response costs to users decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property damage; and

WHEREAS, under the authority of the Health and Safety Code Section 13916, a District may charge a fee to cover the cost of any service which the District provides or the cost of enforcing any regulation for which the fee is charged; and

WHEREAS, the California Vehicle Code (CVC 17300-17303) allows fire departments to recover costs incurred responding to motor vehicle accidents; including response equipment and manpower to secure, cleanup and/or dispose of any hazardous waste; and

WHEREAS, the Board of Directors of the North County Fire Protection District desires to implement a fair and equitable procedure by which to recover said costs and shall establish a billing system in accordance with applicable laws, regulations and guidelines.

NOW, THEREFORE, LET IT BE RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT:

SECTION 1: The North County Fire Protection District has initiated a Cost Recovery Program for the delivery of Fire and Rescue Services, personnel, supplies and equipment to the scene of emergency incidents occurring within the District. The rate of user fees shall be that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A," which may include any services, personnel, supplies and equipment and with baselines established by addendum to this document.

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SECTION 2: For motor vehicle accidents the cost recovery fee shall be filed with the responsible party's motor vehicle insurance carrier, representing the cost of the claim to damages of the vehicles, property and/or injuries. In the event services are required relating to utilities causing safety problems and if the area is deemed unsafe by emergency responders, the same billing process shall apply to said utility, whose equipment related problems cause an emergency services response. The claim costs shall be filed with the insurance carrier of the owner of a vehicle, owner of property or responsible party/parties.

SECTION 3: The North County Fire Protection District Board of Directors authorizes the Fire Chief/CEO to take the necessary steps to continue this Cost Recovery Program, including development and amendment of the necessary policies and procedures and continuing/entering into a contract(s) with billing services to perform the actual cost recovery activity.

SECTION 4: The modification of this Cost Recovery Program shall take effect immediately and Resolution 2023-16 supersedes Resolution 2020-14.

PASSED, ADOPTED AND SIGNED by the Board of Directors, North County Fire Protection District, County of San Diego, State of California, on this **14th day of November 2023**, by the following vote:

AYES: Acosta, Egkan, Munson, Shaw and Pike

NOES: None

ABSENT: None

ABSTAIN: None

RECUSED: None


Cindy Acosta, Board President

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ATTEST:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District thereof held on the **14th day of November 2023**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this **14th day of November 2023**.

A handwritten signature in blue ink that reads "Mavis Canpinar". The signature is written in a cursive style and is positioned above a horizontal line.

Mavis Canpinar, Board Clerk

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“EXHIBIT A”

MOTOR VEHICLE INCIDENTS

1. **SCENE ASSESSMENT AND STABILIZATION: \$580.00**
2. **HAZARDOUS MATERIALS CLEANUP: \$650.00**
3. **VEHICLE FIRE: \$790.00**
4. **EXTRICATION: \$1,710.00**
5. **LANDING ZONE CREATION: \$520.00**
6. **MISCELLANEOUS/ADDITIONAL TIME ON SCENE (for all levels of service):**
 - 6.1. Engine billed at \$519.44 per hour.
 - 6.2. Truck billed at \$651.17 per hour.
 - 6.3. Miscellaneous equipment billed at \$397.34.
7. **EMERGENCY DEBRIS CLEAN-UP: \$580.00**
8. **ASSISTANCE WITH PATIENT INJURIES: \$580.00**

False Alarm Cost Recovery

1. **ITEMIZED RESPONSE:** The False Alarm cost recovery fee assesses individuals whose alarm systems generate an excessive number of False Alarms responded to by the District. There is a graduating scale for continued False Alarms. In determining the number of false alarms that have occurred, the District shall only consider False Alarms that have occurred within on an annual basis, in the previous twelve (12) calendar months.

FALSE ALARM RESPONSE	RESPONSE FEE
1 st Response	No Charge
2 nd Response	\$100
3 rd Response	\$200
4 th Response	\$300
5 th Response and greater	\$500

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“EXHIBIT A”

ANNUAL CHARGE ADJUSTMENTS

1. ANNUAL ADJUSTMENT OF CHARGES:

- 1.1. The charges identified in this Resolution will be increased annually on July 1st in an amount equal to the CPI-Urban index for San Diego (CPI-U, San Diego) as published the preceding January by the Bureau of Labor Statistics; and then rounded up to the nearest ten-dollar (\$10) increment. This adjustment is not to exceed the regional average of increase.