

ORDINANCE NO. 2904

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 3.72
OF THE REDLANDS MUNICIPAL CODE TO ESTABLISH A NON-RESIDENT
EMERGENCY MEDICAL SERVICE FIRST RESPONDER FEE

THE CITY COUNCIL OF THE CITY OF REDLANDS ORDAIN AS FOLLOWS:

Section 1. Chapter 3.72, titled "Non-Resident Emergency Medical Service First Responder Fee," is hereby amended to the Redlands Municipal Code to read as follows:

"Chapter 3.72
NON-RESIDENT EMERGENCY MEDICAL SERVICE FIRST RESPONDER FEE

3.72.010 PURPOSE

3.72.020 DEFINITIONS

3.72.030 EMERGENCY MEDICAL SERVICE FIRST RESPONDER FEE

3.72.040 FEE COLLECTION

3.72.050 NO EFFECT ON EMERGENCY FIRST RESPONDER SERVICES

3.72.060 NO WAIVER OF OTHER MEANS OF COST RECOVERY

3.72.070 APPEAL

3.72.010 PURPOSE. The purpose of this Chapter is to recover City costs of providing emergency medical services, including but not limited to, non-resident first responder services for individual medical assessments that result in transport, and individual medical assessments that do not result in transport. This Chapter shall be interpreted in a manner consistent with applicable law. The fees imposed pursuant to this Chapter are for the purpose of recovering the cost of certain City operating expenses, including, but not limited to, employee wage rate and benefits, medical supplies, and the contracting of services with specialized firms or individuals, which are reasonably related to the actual and on-going expenses incurred by the City for the services and expenses described in this Section.

3.72.020 DEFINITIONS. For purposes of this Chapter, the following definitions apply:

- A. "Fire Chief" means the Chief of the City of Redlands Fire Department, or his or her designee.
- B. "First responder fee" means the fee established by resolution of the City Council pursuant to this chapter, and charged to each non-resident to whom the City provides medical emergency first responder services to recover the costs for providing such services.
- C. "Insurer" means the recipient's medical insurance provider.
- D. "Recipient" means the person to whom the City provides medical emergency first responder services.
- E. "Services" means medical emergency first responder services provided by the City.

3.72.030 EMERGENCY MEDICAL SERVICE FIRST RESPONDER FEE.

- A. Fee Amount Established. The City Council shall, by resolution, adopt and amend from time to time a non-resident first responder fee to recover the actual and reasonable costs incurred by the Fire Department in providing services and processing the non-resident first responder fee, including administrative or enforcement costs.
- B. Fee Applies to All. The non-resident first responder fee shall be charged to each City non-resident who receives services during a single incident.

3.72.040 FEE COLLECTION.

A. Policies for Discharging Accountability.

- (1) The Fire Chief will develop policies and procedures for invoicing, billing, and receiving payments for each fee charged under this chapter and will coordinate the administration with any contracted third party service provider, if applicable. The policies and procedures will include a process to discharge from accountability accounts that are not collectible.
- (2) The City shall accept the payment, if any, from the insurer as the full payment for the recipient's first responder fee obligation and the City shall not require the recipient to pay for any portion of the first responder fee not paid by the insurer.

B. Administration of the Fee. The Fire Chief may delegate all or some of the tasks required for the administration of the non-resident first responder fee. Administration of the non-resident first responder fee will consist of tasks including, but not limited to, tracking of emergency medical first responder services provided by the Fire Department, identification of financially responsible parties, calculation of total fees to be charged, invoicing and payment collection, and appeals, if permitted. The City Manager may approve of delegation of administration of the non-resident first responder fee by a contracted third party.

C. Invoicing. When the Fire Department provides emergency medical first responder services to a non-resident, the City, or its designee, shall bill the non-resident and the insurer, if any, for payment of the non-resident first responder fee. In the case of a minor, the City, or its designee, shall bill the parent or guardian of the recipient who received the services and to the insurer, if the person, or his or her representative, has identified to the Fire Department the insurer to which the invoice should be sent.

3.72.050 NO EFFECT ON EMERGENCY MEDICAL FIRST RESPONDER SERVICES. This Chapter neither expands nor limits services. Nothing in this chapter relieves the Fire Department from providing services. These services will continue to be provided without regard to whether a person is insured by an insurer, has the ability to pay the non-resident first responder fee, or has or has not paid the non-resident first responder fee in the past.

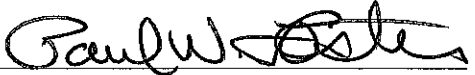
3.72.060 NO WAIVER OF OTHER MEANS OF COST RECOVERY. This Chapter does not preclude the City from pursuing any additional means of cost recovery permitted by law.

3.72.070 APPEAL.

- A. Any person wishing to contest an invoice regarding the non-resident first responder fee imposed under this chapter must submit a written request for reconsideration to the Fire Chief explaining the reasons for requesting a reconsideration within thirty (30) days of the date of receiving the invoice for the non-resident first responder fee. The Fire Chief will review the written request and, based on that review, make a final decision on the request and notify the person in writing within thirty (30) days of receiving the request to reconsider.
- B. If the aggrieved party wishes to contest the Fire Chief's decision, the person may appeal to the City Council by filing a notice of appeal pursuant to Chapter 1.06 of this Code."

Section 2. Severability: If any section, subsection, subdivision, paragraph, sentence, clause, phrase or word in this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed each section, subsection, subdivision paragraph, sentence, clause, phrase or word of this ordinance regardless of the unconstitutionality or invalidity of any other section, subsection, subdivision\paragraph, sentence, clause, phrase or word herein

Section 3. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect in accordance with law.


Paul W. Foster, Mayor

ATTEST:


Jeanne Donaldson, City Clerk

I, Jeanne Donaldson, City Clerk of the City of Redlands, do hereby certify that the foregoing Ordinance was duly adopted by the City Council at a regular meeting thereof held on the 17th day of December, 2019, by the following vote:

AYES: Councilmembers Barich, Tejada, Momberger, Davis; Mayor Foster

NOES: None

ABSTAIN: None

ABSENT: None


Jeanne Donaldson, City Clerk

EXHIBIT A

Engine/Truck Response - \$514 (Captain/Engineer/Firefighter-Paramedic)

Paramedic Squad Response - \$380 (2-Firefighter-Paramedics)