

**ORDINANCE NO. 1-2019/20**

**ORDINANCE OF THE SOUTH PLACER FIRE PROTECTION DISTRICT REVISING THE DISTRICT'S SCHEDULE OF FEES AND CHARGES FOR CERTAIN EMERGENCY MEDICAL SERVICES**

**THE SOUTH PLACER FIRE DISTRICT ORDAINS:**

WHEREAS, THE SOUTH PLACER FIRE PROTECTION DISTRICT is a fire protection district duly organized and existing under the laws of the State of California, including California Fire Protection District Law of 1997 (California Health and Safety Code Sections 13800 and following), and

WHEREAS, pursuant to said Health and Safety Code, the District provides various fire protection services, emergency medical services, ambulance transporting services and related activities; and

WHEREAS, there was previously established in 2002 a schedule of fees and charges for the above referenced services, among others, with said schedule of fees and charges has been followed and imposed thereafter by this district, and

WHEREAS, California Health and Safety Code Section 13916 now authorizes the District to charge a fee to cover the costs of any of the services provided by the District, and

WHEREAS, in 2006 the Board of Directors requested these schedules of fees and charges for the above referenced services be reviewed each year, and

WHEREAS, the District has undertaken and completed a current analysis of the cost and expenses incurred and necessary to provide, carry on, conduct and perform the above referenced services and related activities and has found that the revenues pursuant to the existing schedule are not sufficient to meet such costs and expenses and that it is necessary to revise the schedule of such fees and charges – accordingly and increase the same so as to generate sufficient revenue to meet the costs reasonably necessary and estimated to be incurred by the District in providing such services;

WHEREAS, the Board of Directors has determined that the fees and charges as revised hereunder are regulatory in nature and not property-related fees and charges as referred to in California Constitution Sections XIIIc and XIIId (former Proposition 218),

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF SOUTH PLACER FIRE PROTECTION DISTRICT, ORDAIN as follows:**

**SECTION 1. DEFINITIONS**

For the purpose of this ordinance, the following terms shall have the following respective meanings unless the context indicates otherwise.

**DISTRICT** – shall mean South Placer Fire Protection District.

**BOARD** – shall mean the Board of Directors of this District.

**EMERGENCY MEDICAL SERVICES DIVISION** – shall mean and comprise those individuals duly appointed from time to time by the Board and constituting the EMS Division of this District.

**MEDICAL AID AND AMBULANCE TRANSPORTING SERVICE FEES** – shall mean the schedule of fees and charges established hereunder by this ordinance for the various respective services and related activities referred to in said schedule as approved and any revisions to the schedule found within Exhibit #1.

## **SECTION 2. GENERAL POLICIES**

**LEGISLATIVE INTENT AND FINDING.** The Board of Directors deems it necessary and in the best interests of the District in the providing of emergency medical services and activities that various charges and fees are instrumental in providing such services. That a current analysis of the costs and expenses being incurred by the District, providing such services has indicated, that the current schedule of fees and charges for such services and the revenue generated hereunder is inadequate to meet the costs necessarily incurred by the District in order to provide such service and conduct such activities and that pursuant to the foregoing, therefore, it is necessary that the schedule of fees are sufficient hereunder and be revised accordingly and in an amount sufficient to generate revenues to meet the estimated financial needs of the District providing such services and performing such activities. All fees and charges hereunder shall be assessed if patient is transported or services are rendered on scene and patient is released against medical advice. All fees for specified services and activities, the subject of the schedule shall be calculated by the EMS DIVISION OF THE DISTRICT.

## **SECTION 3. REVISED SCHEDULE OF FEES AND CHARGES ESTABLISHED**

Pursuant to the foregoing provisions of this ORDINANCE, the BOARD OF DIRECTORS does hereby establish the Revised Schedule of Fees and Charges as more particularly shown in Exhibit “#1” attached hereto and by this reference incorporated herein as if set forth in full.

## **SECTION 4. FEE ANNUAL ADJUSTMENT**

The fees identified in the Exhibit #1 shall be adjusted annually, beginning September 16, 2019 and each July 1<sup>st</sup> thereafter, by the percentage change in the Consumer Price Index (CPI) Series Title Medical Care in the U.S. City Average, All Urban Consumers, Not Seasonally Adjusted, as published by the U.S. Department of Labor, Bureau of Labor Statistics for the twelve month period ending December 31 of the preceding calendar year.

## **SECTION 5. REVISION OF FEE SCHEDULE**

The Board of Directors of the South Placer Fire District may, from time to time, revise the schedule found in Exhibit #1 as a result of changes in operating expenses of the District outside of Section 4 Annual Fee Adjustment. Such revisions shall be adopted in the form of amendments to this ordinance, after public comment at a regularly scheduled meeting of the Board in accordance with Health and Safety Code Section 13916.

SECTION 6. SEVERABILITY CLAUSE

If any section, subsection, paragraph, sentence clause of this Ordinance or any part is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof.

SECTION 7. EFFECTIVE DATE

This ordinance, including the revised schedule of fees and charges established hereunder shall become effective no sooner than 30 days after its enactment and within 15 days thereafter shall be posted and published within the District as required by law.

The rates and charges established pursuant to this shall become applicable within the current fiscal year commencing **September 16<sup>th</sup>, 2019** and remain in effect thereafter.

SECTION 8. REVISIONS AND REVOCATIONS

There is reserved to this Board of Directors the right in their discretion at any time and from time to time to amend, modify or revoke in whole or in part any part, portion or provision of this ordinance as may be permitted or provided by law.

The provisions and revised schedule of fees and charges shall supersede prior ordinances and serve as the current ordinance until such time as the South Placer Fire District Board of Directors adopt an up-dated ordinance relating to said matters.

PASSED AND ADOPTED pursuant to hearing and at a regular meeting of the Board of Directors of the SOUTH PLACER FIRE PROTECTION DISTRICT, duly called and held in the DISTRICT on **August 14<sup>th</sup>, 2019**, by the following

AYES: 6

NOES: 0

ABSENT: 1, Kelleg

By:   
President of the Board

ATTEST:

By:   
Clerk of the Board