

ORDINANCE 11-32 Passed August 8, 2011

AMENDING THE MUNICIPAL CODE OF THE
CITY OF DEKALB, ILLINOIS CHAPTER 28,
“FIRE PREVENTION REGULATIONS,” BY
INSERTING A NEW SECTION 28.05-5,
“MOTOR VEHICLE ACCIDENT COST
RECOVERY” AND AMENDING SECTION 28.06
“FEES.”

BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

Section 1. That the Municipal Code of the City of DeKalb, Illinois, Chapter 28, “Fire Prevention Regulations”, be amended as shown following:

Chapter 28

FIRE PREVENTION REGULATIONS

Revised: 07-01-10

Sections:

- 28.01 INTERNATIONAL FIRE CODE/2006 ADOPTED.
- 28.02 IDENTIFICATION OF LOCAL BUILDING CODE NOT ADOPTED. ⁽⁰⁵⁻⁰²⁾
- 28.03 DELETIONS AND ADDITIONS TO THE INTERNATIONAL FIRE CODE
/2006.
- 28.04 HAZARDOUS MATERIALS.
- 28.05 COST RECOVERY PROGRAM.
- 28.05-5 *MOTOR VEHICLE ACCIDENT COST RECOVERY*
- 28.06 FEES.

Section 2. That the Municipal Code of the City of DeKalb, Illinois, Chapter 28, “Fire Prevention Regulations”, be amended by inserting a new Section 28.05-5, “Emergency Medical Assist Cost Recovery”, as shown following:

28.05-5 *MOTOR VEHICLE ACCIDENT COST RECOVERY*

This fee will be charged for all motor vehicle accidents that meet any one of the following criteria:

- a) *Provide hazardous materials assessment and scene stabilization.*
- b) *Clean up and material used (sorbents) for hazardous fluid clean up and disposal.*

- c) *Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.*
- d) *Extrication (heavy rescue tools, ropes, airbags, cribbing etc.).*
- e) *Air Care (multi-engine company response, mutual aid, helicopter).*

Section 1. That the Municipal Code of the City of DeKalb, Illinois, Chapter 28, “Fire Prevention Regulations” Section 28.06 “Fees”, be amended as shown following:

28.06 FEES.

a) Effective February 24, 2001, the following fees shall apply to all acts enumerated in Section 28.05-2: (01-09)

Per Fire Engine Per Hour.....	\$470.00
Per Truck Company Per Hour	\$470.00
Per Command Vehicle Per Hour	\$236.00
Per Ambulance Per Hour.....	\$470.00
Per Administrative Vehicle Per Hour	\$137.00
Per Administrator Per Hour.....	\$137.00
Per Fire Inspector Per Hour	\$105.00
Per Suppression Member Per Hour	\$105.00

(Fees revised per CPI 7-1-11)

b) *Effective August 19, 2011, the following fees shall apply to all acts enumerated in Section 28.05-5:*

Motor Vehicle Accident:

\$250.00 per hour per non-transport Vehicle
\$70.00 per hour per non-transport Responder

A minimum of 1 hour will be assessed for each incident.

b) c) Commencing on July 1, 2001, the City shall adjust the fees on or before July 1 of each year to reflect an increase equal to ***in accordance with*** the most current ***recent*** Consumer Price Index (***CPI***) - ***All Urban Consumers*** Adjustment Rate for the Chicago, Gary, Lake County ***Kenosha*** region. ***The adjusted fees shall be rounded up to the nearest whole dollar.***

e) d) A minimum of one (1) hour shall be charged. Subsequent hours will be billed at fifteen (15) minute increments.

d) *e)* Late Fees: All fees shall be paid to the City Finance Division within sixty (60) days of the invoice date. In the event that the fees are not paid within the sixty (60) day period, an additional charge of five percent (5%) shall be added to the outstanding balance and will subsequently be added each thirty (30) day period that the balance remains unpaid.

e) *f)* Waiver of Fees: The Fire Chief, or his/her designee, may waive or reduce fees, upon his discretion, based on mitigating circumstances.

Section 2. That each section, paragraph, sentence, clause and provision of this ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof, other than that part affected by such decision.

Section 3. That except as to the amendments heretofore mentioned, all Sections of the Municipal Code of the City of DeKalb, Illinois shall remain in full force and effect.

Section 4. Upon its passage and approval according to law, this Ordinance shall, by authority of the City Council be published in pamphlet form. On the tenth day after the date of publication, this Ordinance shall be in full force and effect. Publication date: August 9, 2011. Effective date: August 18, 2011.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 8th day of August, 2011 and approved by me as Mayor on the same day. Received and filed by voice vote July 25, 2011. Substitute passed on second reading August 8, 2011 by roll call vote: 6-0-1. Aye: Jacobson, Teresinski, Lash, Gallagher, Baker, O' Leary. Nay: None. Absent: Naylor.

ATTEST:


STEVE KAPITAN, City Clerk




KRIS POVLSSEN, Mayor