

**ORDINANCE NO. 19-06**

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES RENDERED BY THE CITY OF PURCELL FIRE DEPARTMENT; PROVIDING FOR MITIGATION RATES AND INCREASES THERETO; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR REPEALER.**

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; which include, but are not limited to, Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, all of which creates additional demands on all operational aspects of fire department services; and

WHEREAS, the Purcell Fire Department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, as well as maintaining an effective response by the fire department while ultimately decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, while also saving lives and reducing property and environmental damage; and

WHEREAS, raising real property taxes to meet the increase in service demands would not be fair to property owners within the corporate limits of the City of Purcell when the responsible party(s) should be held accountable for their actions; and

WHEREAS, the City Council of the City of Purcell desires to implement a fair and equitable procedure by which to collect said mitigation rates and establish a billing system in accordance with applicable laws, regulations and guidelines;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PURCELL:

SECTION 1: The Purcell Fire Department shall initiate mitigation rates for the delivery of emergency and non-emergency services by the Purcell Fire Department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents all as reflected on "EXHIBIT A." The mitigation rates shall be based on actual costs of the services and 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. A claim may be filed against the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) may be billed directly.

SECTION 3. The Purcell City Council may make rules or regulations and from time to time and may amend, revoke, or add rules and regulations, not inconsistent with this Section, as they may deem necessary or expedient with respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinance of the City Council.

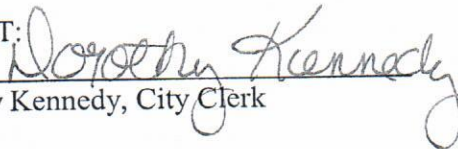
SECTION 5: This ordinance shall take effect thirty (30) days from the date of adoption as permitted by law.


**SECTION 6: The Mitigation Rates lists in Exhibit A will increase by 1.5% annually or based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of labor, whichever is more. Rate adjustments will occur on the anniversary date of this ordinance/resolution to keep the fire department's cost recovery program in conformity with increasing operating expenses.**

**SECTION 7: REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.**

**PASSED AND APPROVED THIS 1<sup>ST</sup> DAY OF JULY, 2019.**

ATTEST:

  
Dorothy Kennedy, City Clerk  
(SEAL)

  
Ted Cox, Mayor

Approved as to form this 1<sup>st</sup> day of July, 2019.



  
Ted W. Haxel, City Attorney

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I, Dorothy Kennedy, Secretary to the Purcell City Council, do hereby certify that the foregoing Ordinance No. 19-06 was duly published in the **Purcell Register**, a newspaper of general circulation in the City of Purcell on the 11<sup>th</sup> day of July, 2019; and I further certify the compliance with the Codified Ordinances and the laws of the State of Oklahoma, pertaining to Public Meetings.

Dorothy Kennedy  
Clerk