

2015-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By B. Johnson

Amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Fire.

The City Council of the City of Minneapolis do ordain as follows:

That Chapter 173 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 173.220 to read as follows:

173.220. Establishing fees for certain emergency protection services within the city. (a) *Purpose.* This ordinance is adopted for the purpose of authorizing the city to charge for designated emergency services as authorized by Minn. Statute Sections 366.011, 366.012, and 415.01.

(b) *Definitions.*

Motor vehicle means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all-terrain vehicles, or park trailers.

Motor vehicle accident service means any deployment of firefighting, police or other city personnel and/or equipment to motor vehicle accident incidents to perform vehicle extrication or personal injury or related emergency medical response.

Qualifying service charge means the charge imposed by the city for receiving motor vehicle accident or technical rescue services.

Technical rescue service means any deployment of firefighting, police or other city personnel and/or equipment to perform aspects of saving or protecting life that employ the use of specialized tools and skills that exceed those normally reserved for firefighting, medical emergency, and rescue. It includes, but is not limited to, structural collapse, confined space, rope rescue, water, wilderness, trench and excavation, machinery, cave, mine and tunnel, helicopter, and tower rescue services.

(c) *Parties affected.*

(1) Any person who receives motor vehicle accident service as a result of a motor vehicle accident within the city.

(2) The owner of property within the city and any person who receives technical rescue service as a result of the person's trespassing, entering into or upon the property or portion thereof not open to the public without the consent of an owner, operator or occupant authorized to provide consent, or through the violation of any other applicable law, including but not limited to section 385.390 of this Code. Any such persons shall be jointly and severally liable for all qualifying service charges along with the owner or owners of the property.

(d) *Rates.*

(1) Qualifying technical rescue service responses shall be charged at the rate of seven hundred twenty-one dollars (\$721.00) for the first two hours and three hundred dollars (\$300.00) for each additional hour or fraction thereof. In addition, the city may impose a charge for the actual repair or replacement cost of any equipment damaged or destroyed as a result of the service.

(2) Qualifying motor vehicle accident service responses shall be charged at the rate of five hundred seventy-seven dollars (\$577.00) for an engine company response and seven hundred twenty-one dollars (\$721.00) for a ladder company response. In addition, the city may impose a charge for the actual repair or replacement cost of any equipment damaged or destroyed as a result of the service.

(e) *Billing and collection.*

(1) Parties requesting and receiving qualifying services may be billed directly by the city or by an agent or contractor employed by the city. Additionally, if the party receiving qualifying services did not request services but an emergency situation exists which, at the discretion of the city personnel in charge requires qualifying service, the party will be charged and billed. All parties will be billed whether or not the qualifying service is covered by insurance. Any billable amount of the charge not covered by a party's insurance remains a debt of the party receiving the qualifying service.

(2) Parties billed for qualifying services will have sixty (60) days to pay. If the qualifying service charge is not paid by that time, it will be considered delinquent and the city will send a notice of delinquency.

(3) If the qualifying service charge remains unpaid for thirty (30) days after the notice of delinquency is sent, the city may use all practical and reasonable legal means to collect the qualifying service charge. The party receiving qualifying service shall be liable for all collection costs incurred by the city including, but not limited to, reasonable attorney fees and court costs.

(4) If the qualifying service charge remains unpaid for thirty (30) days after the notice of delinquency is sent, the city council may also, on or before October 15 of each year, certify the unpaid qualifying service charge to the county auditor in which the recipient of the services owns real property for collection with property taxes. The county auditor is responsible for remitting to the city all charges collected on behalf of the city. The city must give the property owner notice of its intent to certify the qualifying service charge by September 15.

(f) *Application to budget.* All collected qualifying service charges will be city funds and used to offset the expenses of the fire department or other participating department providing the qualifying service.