

Code
15

ORDINANCE NO. 1795

(An ordinance amending Section 15.40.060 of the Hood River Municipal Code –
Recovery of costs of suppressing fire)

WHEREAS, most homeowner insurance policies allow for payment of a fire department service charge in the case of loss of property, when provided by local ordinance;

WHEREAS, City firefighters and firefighting equipment are frequently called upon to respond to incidents for the benefit of persons who do not pay taxes to the City to support emergency response; and

WHEREAS, the City Council desires to maximize revenues by the imposition of reasonable and lawful user fees;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 15.40.060 of the Hood River Municipal Code is amended to read as follows:

15.40.060 Recovery of costs of suppressing fire.

A. If City fire fighting personnel respond to protect covered property from a covered cause of loss, the property owner shall reimburse the City for the reasonable costs of response, up to the amount allowed under the policy of insurance.

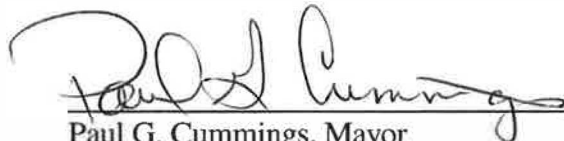
B. Paragraph A notwithstanding, if City fire fighting personnel ~~are required to~~ respond to a condition of smoke or fire, whether they engage in fire fighting or not, if the smoke or fire is the result of a person violating the Code, is the result of a person intentionally burning material in a reckless manner, or is the result of a person disobeying a permit issued by the Fire Marshal, such person or persons ~~responsible for the violation~~ shall be liable to the City for the reasonable costs of the fire fighting personnel and use of the equipment involved. If the City of Hood River files a civil action to collect costs as a result of a violation as described in this section in addition to recovery costs, the City shall be entitled to recover a reasonable amount to be fixed by a trial court or appellate court as attorney fees.

C. Paragraph A notwithstanding, if City fire fighting personnel respond to a motor vehicle accident, motor vehicle fire or any other incident for the benefit of a non-resident of the City of Hood River, the non-resident shall reimburse the City for the reasonable costs of response, as set by resolution of the City Council.

D. Paragraph A notwithstanding, if City fire fighting personnel respond to a fire or other incident caused by the passage of a train, the operator of the train shall reimburse the City for the reasonable costs of such response, as set by resolution of the City Council.

Read for the first time: April 24, 2000.

Read for the second time and passed: May 8, 2000, to become effective thirty (30) days hence.



Paul G. Cummings, Mayor

ATTEST:



Anita R. Smith, City Recorder