

Ordinance 1-2004

(SIB
2-2004)
E.M.

ABATEMENT/RECOVERY

AN ORDINANCE OF THE COUNTY OF WARREN, PENNSYLVANIA AUTHORIZING THE COUNTY TO CHARGE FOR THE REPLACEMENT OF PETROLEUM PRODUCT, CHEMICAL AND/OR HAZARDOUS MATERIAL ABATEMENT MATERIALS AND FIREFIGHTING FOAM, APPARATUS AND EQUIPMENT.

WHEREAS, Warren County recognizes the need to provide, through its volunteer fire departments, certain expendable and/or disposable materials used in the abatement and/or control of certain fires, petroleum product releases, chemical releases and hazardous materials incidents, including but not limited to firefighting foam, other petroleum product, chemical or hazardous materials abatement equipment, apparatus and firefighting equipment (hereafter collectively referred to as "materials").

WHEREAS, the purchase of said materials is a high and unusual expense, and

WHEREAS, the Board of Commissioners of Warren County have recognized a need to authorize for the recovery of cost of such materials used in an incident;

NOW THEREFORE, be it ordained and enacted by the Board of Commissioners of Warren County as follows:

The Board of Commissioners of Warren County, hereby authorizes the Warren County Emergency Management Agency to recover the cost of said firefighting materials, equipment, and other chemical, petroleum product or hazardous materials abatement material from any actor necessitating the dispensing thereof. For the purposes of this ordinance, the following definitions shall apply:

1. Any person, group, agency, corporation, or other entity whose actions or inactions result in an incident during which materials described herewith are released shall be responsible for the reasonable cost incurred or expended for the replacement of any material used or expended in the abatement or control of said incident.

2. Any agency, group, municipality, state or federal licensed fire department which requests the County of Warren to provide said materials shall be responsible for the replacement cost of any materials, equipment, used or expended.

That the Warren County Emergency Management Agency's office shall have the authority to bill either an individual, individual partnership corporation (non-profit or profit), or municipal subdivision.

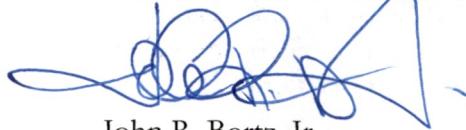
That the Warren County Emergency Management Agency's office shall have the authority to bill for a neighboring county for utilization of said firefighting equipment, materials, foam and/or petroleum product, chemical or hazardous materials abatement material when dispensing thereof has been requested by said county, regardless of the cause of said dispensing.

The Board of Commissioners may, from time to time, pass resolutions setting costs for firefighter's equipment for use in hazardous materials, chemical or petroleum product spill/release related incident abatement activity.

Any Ordinance or part of an Ordinance conflicting with the provisions of the Ordinance are hereby repealed to the extent of said conflict.

Ordained and enacted into law by the Board of Commissioners of Warren County at a regular meeting held on the 13th day of October, 2004

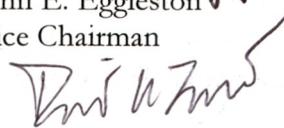
WARREN COUNTY COMMISSIONERS



John R. Bortz, Jr.
Chairman



John E. Eggleston
Vice Chairman



David A. Bauer, Esq.
Secretary

ATTEST:



Diane C. Bloomgren
Chief Clerk

**Resolution #2840
ABATEMENT/RECOVERY
RATE SCHEDULE**

NOW THEREFORE, BE IT RESOLVED by the Commissioners of Warren County the following rate schedule for the Abatement/Recovery Ordinance #1-2004 shall be as follows:

List of Equipment and Chargeable Expenses

Engine	\$125/hour
Tanker	\$125/hour
Rescue Unit	\$100/hour
Ambulance	\$100/hour
County Response Vehicle	\$100/hour
County Hazmat Supply Trailer	\$100/hour
Mileage	40 cents/mile
Materials	Current replacement cost + 20%

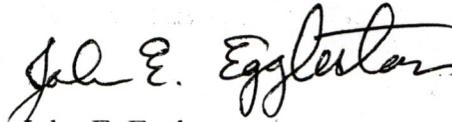
AND BE IT FURTHER RESOLVED THAT late fees will be assessed at 10% of the unpaid balance each month. The foregoing rate schedule replaces existing rates as set forth by the Warren County Commissioner by Resolution #2747. This Resolution will take effect September 23, 2004.

APPROVED this 13th day of October 2004.

COMMISSIONERS OF WARREN COUNTY



John R. Bortz, Jr.
Chairman



John E. Eggleston
Vice-Chairman



David A. Bauer
Secretary

Attest:


Diane C. Bloomgren
Chief Clerk

