



# Orting Valley Fire and Rescue

Pierce County Fire District 18  
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## Resolution 2019-003

**A RESOLUTION BY THE BOARD OF FIRE COMMISSIONERS OF PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 18 IMPLEMENTING A COST RECOVERY PROGRAM FOR ACCIDENT SCENE RESPONSE AND TRAFFIC SAFETY FOR EMERGENCY RESPONSE INCIDENTS AND ALL RELATED SERVICES.**

**WHEREAS**, the governing board of Pierce County Fire Protection District No. 18 has determined a Cost Recovery plan pursuant to RCW 4.24.314 and any other statutes that allow cost recovery necessary to assure that the responsible parties are liable for these response costs; and

**WHEREAS**, RCW 4.24.314 authorizes fire protection departments and districts to recover reasonable and necessary costs incurred in the course of protecting life and property that exceed the usual and customary expenses anticipated. The District will affix a \$250.00 minimum preparedness and response cost to all incidents where a liable party is responsible for said action. This fee will begin to offset (but is not limited to) special training requirements of personnel, cleaning of equipment and turn outs, wear of equipment, staffing costs, fuel consumption, loss or damage to publicly owned equipment and purchase or lease of any special equipment or services required to protect the environment, community property and the public; and

**WHEREAS**, responses to and/or recovery from emergencies and disaster requires purchases to replace supplies, periodic and scheduled maintenance on apparatus, fuel purchases, staffing expenses, cleaning and repair and/or replacement of protective gear and equipment as required by the agency or by law; and

**WHEREAS**, the District believes that its taxpayers should not be required to bear the extraordinary costs of responding to hazardous materials incidents, regardless of size, and that such extraordinary costs should be charged to the liable party and/or transporters and users of hazardous materials to reimburse the agency; and

**WHEREAS**, the District has determined that vehicle accidents frequently involve traffic control, scene safety, detours and other services necessary to reduce further liability, damage or injury to non-involved parties; and

**WHEREAS**, standard response results in requiring placement of emergency flares, as well as dealing with spillage or leakage of liquids, such as oil, battery acid, fuel, antifreeze, brake fluid, transmission fluid, and other petroleum-based products all of which constitute hazardous materials; and

**WHEREAS**, the District must appoint those in oversight of recovering data pertinent to filing a claim for loss of time and supplies a reasonable administrative fee will be applied. This fee will be affixed to the total loss of the claim that shall be paid by the liable party causing said claim.

**NOW, THEREFORE BE IT HEREBY RESOLVED**, BY THE BOARD OF FIRE COMMISSIONERS OF PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 18 AS FOLLOWS:

The District designates EF Recovery and Responder Investigations as its designated administrative agency and representing authority in establishing a claim on behalf of the agency. All administrative and processing costs will be included in the claim.

Adopted this 5<sup>th</sup> day of February 2019.

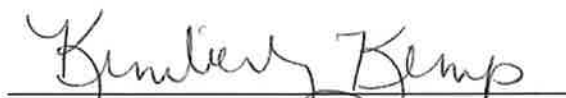
  
Shawn Mahoney-Commission Chair

  
Margaret O'Harra Buttz-Commission Vice Chair

  
Arlene Dannat-Commissioner

  
Tom Marino-Commissioner

  
Kevin Gorder-Commissioner

  
Kimberly Kemp-District Secretary