

**AN ORDINANCE AMENDING CHAPTER 26 “PUBLIC SAFETY” TO ADD
SECTION 26-136, COST REIMBURSEMENT FOR FIRE SERVICES,
TO THE CHRISTIANSBURG TOWN CODE AND PROVIDE AN EFFECTIVE DATE**

WHEREAS, the Council for the Town of Christiansburg desires to amend the Town Code to allow the Town to recover reasonable fees and costs for services provided by the Town's Fire Department;

WHEREAS, Section 3.09 of the Charter of the Town of Christiansburg authorizes the Town to establish rates and fees for services provided by the Town;

WHEREAS, Virginia Code § 27-14 authorizes the Council of the Town of Christiansburg to adopt ordinances in relation to the powers and duties of its fire department, as it may deem proper, including billing property owners on behalf of volunteer fire departments as provided in § 38.2-2130; and

WHEREAS, Virginia Code § 38.2-2130 authorizes the Town to bill for services when the Town's fire department is called in to save or protect insured property, provided the amount billed shall not exceed the limit of such coverage.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg, Virginia that it hereby adopts and enacts Division 4 (Fire Prevention and Fees for Services) and Section 26-136 (Cost reimbursement for fire services), to be added to Chapter 26 (Public Safety), Article III (Fire Prevention and Protection) of the Christiansburg Town Code, as follows:

DIVISION 4. FIRE PREVENTION AND FEES FOR SERVICES

Sec. 26-136. Cost reimbursement for fire services.

Reasonable fees and costs shall be charged for fire services provided by fire services personnel, according to a schedule of rates established from time to time by resolution of the town council. The funds received shall be used to defray the cost of providing such services.

(1) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the following meanings:

Fire services means emergency efforts to protect persons and property from fire.

Fire services personnel means persons directly participating in the provision of fire services.

(2) *Billing.*

- a. A bill will be generated for fire services rendered by fire services personnel and sent to the owner of the property for which the services were rendered.
- b. The owner of the property or their insurer will be expected to pay for the fire services within thirty (30) days of the date they are billed.

(3) *Compassionate billing policy.*

- a. No one will be denied fire services due to inability to pay or lack of insurance.

- b. The property owner may request that bills for fire services be sent to their insurer, but the property owner must provide sufficient information regarding their insurer and available insurance coverage.
- c. The property owner may apply to the Town for relief from all or a portion of their liability for fire services. Such relief shall be granted upon demonstration of (i) lack of insurance coverage, and (ii) financial hardship.
- d. The Town will not pursue payment for fire services through a third-party debt collection agency without express authorization of the town manager or his designee.
- e. If the amount billed for fire services within a given calendar year exceeds the limits of available insurance coverage, the excess will be waived upon request by the property owner.
- e. Property owners who serve with the Town's fire department or rescue squad will not be charged for fire services except as may be covered by insurance.

* * *

This ordinance shall be effective immediately upon passage. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held September 26, 2023, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|--------------------------|------------|------------|----------------|---------------|
| Mayor D. Michael Barber* | | | | |
| Samuel M. Bishop | X | | | |
| Johana Hicks | X | | | |
| Tanya Hockett | X | | | |
| Casey Jenkins | X | | | |
| Henry D. Showalter | | | | X |
| Tim Wilson | X | | | |

*Votes only in the event of a tie vote by Council.

SEAL:

Tracy Heffline
Tracy Heffline, Clerk of Council

D. Michael Barber
D. Michael Barber, Mayor