

AN ORDINANCE OF THE CITY OF CLARK FORK, BONNER COUNTY, IDAHO, ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE USER FEES FOR THE DEPLOYMENT OF SERVICES RENDERED BY THE CLARK FORK FIRE DEPARTMENT TO MOTOR VEHICLE ACCIDENTS; PROVIDING FOR BILLING; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE AND PUBLICATION THEREOF;

WHEREAS, the Clark Fork Fire Department's response activity to incidents on the roadways continues to increase each year; and

WHEREAS, the Federal and/or State regulatory agencies requirements involving equipment and training have created additional demands on all operational aspects of the Clark Fork Fire Department; and

WHEREAS, the Clark Fork Fire Department has investigated different methods to maintain a high level of quality of emergency service capability throughout times of constantly increasing service demands; and

WHEREAS, raising property taxes to meet the increase in service demands would not be fair to the property owners when a majority of motor vehicle accidents involve individuals not owning property or paying taxes in the City of Clark Fork; and

WHEREAS, the City of Clark Fork desires to implement a fair and equitable procedure by which to collect said motor vehicle accident fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO:

SECTION 1. Motor Vehicle Response Fees: The City of Clark Fork shall initiate fees for the delivery of fire and rescue services, personnel, supplies and equipment to the scene of motor vehicle accidents on the roadways. The rates shall be established by resolution.

SECTION 2. Billing Provision: The fees may be billed to the insurance company of the at-fault driver.

SECTION 3. Severability: This ordinance is hereby declared to be severable. Should a court of competent jurisdiction declare any portion of this ordinance invalid, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

SECTION 4. Repeal of Conflicting Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. Effective Date: This ordinance shall be effective upon its passage and publication as provided by law.

PASSED and APPROVED as an Ordinance of the City of Clark Fork, Idaho, this 9th day of February, 2009.



Thomas A. Shields, Mayor

CITY COUNCIL MEMBERS	YES	NO	ABSENT	ABSTAIN
Brian Lee Cantrell	X	—	—	—
James Junget	X	—	—	—
Linda V. Reed	X	—	—	—
Russell W. Schenck	X	—	—	—

ATTEST:


Jonell Davisson, City Clerk