STATE OF SOUTH CAROLINA  )  ORDINANCE NO. 03-22  
COUNTY OF SALUDA  )  

AN ORDINANCE PROVIDING FOR THE RECOVERY OF FIRE PROTECTION AND EMERGENCY SERVICES COSTS

WHEREAS, the Saluda County Fire Service is authorized to provide emergency response relating to the protection of lives and property within the fire district boundaries located in the unincorporated areas of Saluda County; and

WHEREAS, the Saluda County Fire Service in years past has provided services to its citizens through a volunteer service funded by county property tax revenue; and

WHEREAS, the activity of emergency services response to incidents continues to increase each year; and

WHEREAS, Section 4-21-10 of the Code of Laws of South Carolina provides authority for a governing body of a county to provide fire protection by contract with municipalities and private agencies; and

WHEREAS, it is fiscally prudent and advisable to recoup the cost for services including, but not limited to, motor vehicle accidents, collisions, motor vehicle fires, motor vehicle extrications, hazardous materials spills or discharge, structure fires, false alarms, fire inspections, utility line failure, and fire cause and origin investigations from insurance carriers; and

WHEREAS, it will be cost effective to utilize a third-party fire billing service for this cost recoupment; and

WHEREAS, the recoupment of the costs associated with fire protection and emergency services should never impede individuals from seeking emergency assistance; therefore, neither Saluda County nor the thirty-party fire billing service utilized for cost recoupment shall directly bill the individuals receiving the services.

NOW, THEREFORE, BE IT RESOLVED, by the Saluda County Council, that:

Section 1. Short Title.
This ordinance shall be known and may be cited as Saluda County Fire Service Cost Recovery Ordinance.

Section 2. General Purpose
This Ordinance is adopted in order to provide reimbursement to the Saluda County Fire Service for a portion of the costs incurred by the fire service for certain emergency services provided.
Section 3. Recoupment of Emergency Response Services Costs Authorized

The insurance company of the owners or occupants of a structure, vehicle, or property to which the fire department or other department of the service area provides fire suppression, emergency management services, vehicle extrication, hazardous material mitigation, or other fire department services, collectively referred to in this article as “Emergency Response Services,” shall be billed and pay the cost of such service at a rate not exceed the County’s actual expense in providing the services. Emergency Response Services shall include any service rendered by any Saluda County Fire Service personnel to any property or person within the unincorporated portions of Saluda County or to any property or person within any municipality or other entity per contract or request. All recoupment costs shall be billed pursuant to the terms of a contract to be entered into between Saluda County and a third-party billing administrator.

Section 4. Recovered Funds

All money recouped pursuant to this ordinance shall be placed in the Fire Board Reserve Account.

Section 5. Severability

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, or in any exception to or limitation upon any provision contained herein be held to be unconstitutional, invalid or ineffective, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect, and to this end, the provisions of this ordinance are declared to be severable.

Section 6. Repealer

All Ordinances and parts of Ordinances that are in conflict with this Ordinance are hereby repealed.

Section 7.

This Ordinance shall take effect immediately after its adoption, the welfare of the people and county requiring it.

DONE, RATIFIED, AND ADOPTED THIS ____ DAY OF _______________, 2022.

ATTEST: ___________________________ SALUDA COUNTY COUNCIL

Regina Turner, Clerk to Council Jim Moore, Chairman

First Reading: March 14, 2022
Second Reading: April 11, 2022
Third Reading: