

ORDINANCE NO. - 2018-73

**AN ORDINANCE OF THE TOWNSHIP OF MARION,
COUNTY OF CENTRE, PENNSYLVANIA,
AUTHORIZING THE HOWARD VOLUNTEER FIRE CO. NO. 1
TO REMIT INVOICES TO INSURANCE CARRIERS FOR
SERVICES RENDERED BY HOWARD VOLUNTEER FIRE CO. NO. 1**

WHEREAS, the Township of Marion, Board of Supervisors has determined that the Howard Volunteer Fire Co., No. 1, herein referred to as Fire Company, must have the ability to render fees for services provided to help defray the costs associated with providing such services.

WHEREAS, the Township of Marion is authorized by law and under the Hazardous Material Emergency Planning and Response Act, 35 P.S. § 6022.201.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Marion, and it is hereby enacted and ordained by and with the authority of same, as follows:

Section 1. That the Fire Company shall have the authority and ability to obtain insurance information, from the individuals, businesses, and institutions who receive services of the Fire Company, for the purpose of billing for the same.

Section 2. That the Fire Company shall obtain the appropriate insurance information for the purpose of billing for said services related to, but not limited to, vehicle accidents, rescues structural fires, vehicle fires, and hazardous materials spills.

Section 3. It is further provided that the Fire Company or third party billing service, as an authorized agent, is hereby authorized to seek reimbursement from the appropriate

insurance company/carrier's policy limits. It is further provided that the said Fire Company shall not bill the individuals or entities directly for any services rendered, except in the case of (i) an intentional false alarm or (ii) a fire which was intentionally set and for which insurance coverage is not available.

Section 4. It is hereby provided further that the Township and its authorized representatives are hereby authorized to assist Howard Volunteer Fire Co. No. 1, Logan Fire Company No. 1, Undine Fire Company No. 2, Walker Township Fire Company, Lamar Township Volunteer Fire Company and Beech Creek Blanchard Volunteer Fire Company Station 9, in receiving reimbursement for the collection of any amounts due the said Fire Company pursuant to its rendering public services as set forth above; and in particular, for appropriate reimbursement for any extraordinary services, including but not limited to abatement and disposition of hazardous materials, spills or the threat of spills of toxic chemicals, utility line breaks or leakages, or other imminent or perceived or possible threats to the health, safety or welfare of the Township residents. This authorization shall include enforcement by the Township by civil action, for the collection of any amounts due hereunder, including attorney fees or other relief that may be appropriate.

Section 5. That provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal, or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intent of the Board of Supervisors of Marion Township that this Ordinance would have been adopted, had such unconstitutional, illegal, or invalid part not been included herein.

Section 7. Effective date. This Ordinance shall take effect upon adoption and publication according to law.

DULY ENACTED AND ORDAINED this 9th day of August, 2018, by the Board of Supervisors of the Township of Marion, Centre County, Pennsylvania, in lawful session duly assembled.

ATTEST:

MARION TOWNSHIP BOARD OF
SUPERVISORS, Centre County, Pennsylvania

Angel Emery
Township Secretary

Archie B. Gettig
Archie B. Gettig

Tanner W. Day
Tanner W. Day

John R. Dillon
John R. Dillon