

<b>SCOTTS VALLEY FIRE PROTECTION DISTRICT</b>		
<b>STANDARD OPERATING PROCEDURES</b>	<b>ARTICLE: I</b>	<b>SOP: 1205</b>
	<b>SECTION: 1200</b>	<b>FINANCE</b>
	<b>SUBJECT: COST RECOVERY</b>	

**Purpose:** To establish guidelines for recovering costs incurred by the fire district for providing certain services.

**Scope:** To be used by chief officers, company officers, and administrative personnel in the preparation and collection of cost associated with certain services.

**Definitions:**

***Accidental:*** Occurring unexpectedly or by chance. Happening without intent or through carelessness.

***Designated Representative:*** An appointee of the district for the purpose of billing, collection, or litigation.

***Illegal:*** Prohibited by law; against the law; not authorized by or sanctioned, or as by rules.

***Intoxication/Controlled Substances:*** The use of alcohol or a narcotic to the point where physical and mental control is markedly diminished.

***Liable:*** To make good any loss or damage that occurs in a transaction, legally bound or obligated.

***Negligence:*** Habitual failure to do what is required, carelessness in manner or appearance. Failure by law, to use a reasonable amount of care when such results in injury or damage to another.

***Responsible:*** Liable to legal review, or in case of fault, to penalties. Able to answer for one's conduct and obligations.

***Waiver:*** Intentionally relinquishing or abandoning a known right, claim, or privilege.

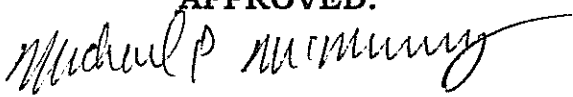
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**Description of Actions/Incidents:**

The following incidents may constitute a basis for pursuing a cost recovery claim.

1. Any illegal action that results in a situation that requires district services to remedy or mitigate and is caused by any resident or non-resident of the district, including but not limited to, the following:
  - A. Illegal burning.
  - B. Illegal storage, dumping, or transportation of any hazardous material substance.
  - C. Any illegal acts committed against property existing within district boundaries that require the following service:
    - Intentional alarm (false) activation
    - Arson
    - Mischievous vandalism
2. Any incidents resulting from negligence.
3. Any incidents resulting from actions of a person legally determined through conviction to have been under the influence of intoxicating and/or controlled substances.
4. The mitigation of any hazardous material incident resulting from accidental spillage, dumping, and/or storage of such materials.
5. For response to a hazardous material incident in another jurisdiction, see *Policy Manual, Section III, letter dated 12/19/91.*

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**Discretionary Authority:**

The fire chief shall have full discretionary authority in determining what circumstances warrant application of this procedure. A designated department representative may be appointed by the fire chief for the purpose of billing, collection or litigation as may be required for implementation of this procedure.

**Collection:**

Procedure for, and the collection of, a claim shall be the responsibility of the administrative office under the direction of the fire chief.

**Investigation and Documentation:**

1. The incident commander shall be responsible to see that the incident is properly investigated and documented, similar to a fire investigation. It is especially important to get names and addresses of party(ies) involved and witnesses.
2. If the incident commander feels that there may be a claim filed, he/she should advise the responsible(s) before leaving the scene.
3. Documentation shall include, but not be limited to, incident report (signed), *Cost Recovery Log (attached Form #1)*, and off duty slip.
4. All documentation shall be turned into an administrative chief at the earliest opportunity. The duty officer shall assure that all documentation is turned in before going off duty. In extended or complicated cases, additional time may be allowed to assemble documentation.

**Waiver of Costs:**

The fire chief shall have the discretionary authority to fully or partially waive any claim when circumstances warrant such waiver.

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**Procedure:**

1. Filing Cost Recovery Claim

A. Calculating Cost

When calculating costs use an *Activity Cost Report (attached Form #2)*.

1) *Personnel:*

- a) Use the current actual salary breakdown from the office. Will include salary and all benefits.
- b) Use hourly rate for on duty personnel and overtime rate for off duty personnel. PCF are figured at Firefighter I rate.
- c) Time is taken from the incident report for on duty personnel, and includes all time from dispatch to back in to the nearest quarter hour. Off duty or overtime is taken from the off duty slip and figured to the nearest quarter hour.
- d) Add b) and c) and then multiply by d) for cost of each employee.
- e) Add all employees for total cost of personnel.

2) *Apparatus and Mobile Equipment:*

- a) Mobile equipment will be charged at the current OES/FEMA schedule of Equipment Reimbursement Rates plus mileage with a \$50.00 minimum charge. (attached Form #3).
- b) An additional charge of \$137.50 per hour will be added for fire pump or aerial ladder use.
- c) Add all apparatus and mobile equipment.

3) *Materials and Supplies:*

- a) Take cost from *Cost Recovery Log*.
- b) Materials and supplies will be charged at the actual cost of replacement including tax and freight.

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4) *Dispatch and Communications Costs:*

The cost of dispatch will be actual cost as determined by the district's agreement with Santa Cruz Consolidated Emergency Communications Center.

Other telecommunication charges will be billed based on actual costs.

5) *Specialty Equipment Costs:*

Specialty equipment will be billed as follows:

<u>Equipment</u>	<u>Hourly</u>	<u>Minimum Charge</u>
Aerial ladder	\$137.50	\$137.50
Air bags	57.14	57.14
Air chisel	31.43	31.43
Air/toxics monitoring (each device)	41.07	41.07
Blower	7.33	10.00
Computer/references	23.00	23.00
Confined space rescue equipment	38.00	38.00
Decontamination	5.00	10.00
Defibrillator (each use)	120.00	120.00
Fire pump	137.50	137.50
Ground ladder	2.63	10.00
Hydraulic rescue tool	55.71	55.71
Immobilization equipment	5.00	5.00
Lab analysis/identification	10.71	10.71
Portable generator/lighting	4.71	4.71
Portable pump	16.57	16.57
Power saw	8.67	8.67
Remote breathing air system	28.57	28.57
Ropes and hardware	10.67	10.67
Self contained breathing apparatus	9.57	9.57
Transfer pump	8.00	8.00
Water tender	60.00	60.00

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6) *Total Cost:*

All cost from the above categories plus a twenty percent (20%) administrative cost added for the total cost.

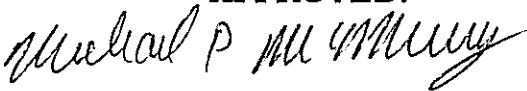
B. Claims

1) *Issuing Claims:*

- a) Submit a standard invoice to the responsible party (ies).
  - Enclose with the invoice an activity cost Report, incident report, and cost recovery log, if appropriate.
  - Additional reports may be included such as a police/sheriff report.
- b) The invoice shall indicate the amount of the claim and demand due date of payment, which is normally sixty (60) days.

2) *Failure to Respond:*

- a) Failure to pay the claim within the specified time shall cause a second notice to be issued with a due date of thirty (30) days.
- b) Failure to respond to the second notice may result in legal action through the small claims court, if less than \$5,000.
- c) Claims greater than \$5,000 will be referred to the fire district's attorney.

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