

ORDINANCE NO. 2009 - 02

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING CHAPTER 12 "FIRE PREVENTION AND PROTECTION" OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE ("ULDC"), AND ADDING DIVISION 4. "EMERGENCY MEDICAL SERVICES", SECTION 12-100, "COLLECTION OF FEES", RELATING TO THE COLLECTION OF FEES FOR EMERGENCY MEDICAL SERVICES; PROVIDING FOR THE ESTABLISHMENT OF A FEE, PROVIDING FOR THE REIMBURSEMENT OF THE FEE; PROVIDING FOR PENALTY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 24, 2008, pursuant to Resolution No. 2008-086, the Town renewed its Agreement with the Broward Sheriff's Office for the Delivery of Emergency Medial, Fire Protection and Fire Prevention Services; and

WHEREAS, Article 4 of the Agreement provides for the Delivery of Emergency Medical Services; and

WHEREAS, Section 4.6 specifically provides that the Sherriff shall invoice the recipient of services in accordance with the fee schedule adopted by the Town; and

WHEREAS, this Ordinance serves to establish a mechanism to enact a fee schedule, to provide for the reimbursement of the fee, and to provide for penalty if the fee is not paid; and

WHEREAS, the Town believes that the delivery of emergency medical services and the reimbursement for the costs associated with same, is in the best interest of the health, safety, and welfare of the Town's residents;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: That ULDC Chapter 12 "Fire Prevention and Protection", is hereby amended as follows:

Secs. 12-86 – 12-99 Reserved.

DIVISION 4. EMERGENCY MEDICAL SERVICES

Sec. 12-100 Collection of Fees

(a) The recipient of emergency medical services shall reimburse the Town for the provision of emergency medical services in accordance with the fee schedule established via Resolution by the Town.

(b) The recipient of emergency medical services shall reimburse the Town for the provision of emergency medical services within forty-five (45) calendar days from the date in which services were rendered.

(c) Failure to abide by any of the provisions of this Division shall constitute a violation of the ULDC and shall be punishable as a violation of the Town's Code.

Section 3: Inclusion in the Code. This Ordinance shall be codified and included as part of the Town's Code of Ordinances. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 6: Effective Date. This Ordinance shall take effect immediately upon its adoption.

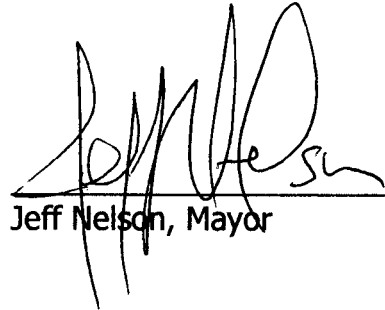
[Signatures on Following Page]

PASSED ON FIRST READING this 2nd day of October, 2008 on a motion made by Council Member Don Maines and seconded by Council Member Aster Knight.

PASSED AND ADOPTED ON SECOND READING this 13th day of November, 2008, on a motion made by Vice Mayor Steve Breitkreuz and seconded by Council Member Doug McKay.

Nelson	<u>Y</u>
Breitkreuz	<u>Y</u>
Fisikelli	<u>Y</u>
Knight	<u>ABSENT</u>
McKay	<u>Y</u>

Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>




Jeff Nelson, Mayor

ATTEST:



Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
FTL_DB: 1144030_1