



FIRE DEPARTMENT

To: Mayor and Town Council

From: Stuart Blasingame, Fire Chief

Through: Mario Canizares, Town Manager

Re: Amending Chapter 5.05 of the Town's Code of Ordinances

Town Council Meeting – June 10, 2025

Strategic Visioning Priority: 4. Provide Excellent Municipal Services

Agenda Item:

Consider and act upon an ordinance amending Chapter 5.05 of the Town's Code of Ordinances, by repealing existing Article 5.05, "Hazardous Materials Incident Response," and replacing it with a new Article 5.05 "Mitigation Rates for Emergency and Non-Emergency Services", amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by adding a new section XXIII, "Fire Department Mitigation Rates," of Appendix A, "Fee Schedule," to this Code of Ordinances.

Description of Agenda Item:

This would amend our current Chapter 5.05 of the Town's Code of Ordinances by repealing the existing Article titled "Hazardous Materials Incident Response" and replacing it with a new Article titled "Mitigation Rates for Emergency and Non-Emergency Services." This amendment also includes updating Appendix A (Fee Schedule) by adding a new Section XXIII, "Fire Department Mitigation Rates." These changes authorize the Prosper Fire Department to recover costs associated with emergency response incidents such as structure fires, motor vehicle accidents, and hazardous materials events by exclusively billing insurance providers, with no direct billing to residents or businesses, and utilizes a fee schedule that reflects FEMA rates and national industry average collection rates.

Budget Impact:

The exact amount of revenue to be collected is currently unknown; however, based on conservative estimates, the Fire Department anticipates generating at least \$30,000 annually through this cost recovery program. Revenue will be budgeted into account 13030010-42000 (Charges for Services).

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

Attached Documents:

1. Ordinance

Town Staff Recommendation:

Town Staff recommends the Town Council approve an ordinance amending Chapter 5.05 of the Towns Code of Ordinances, by repealing existing Article 5.05, "Hazardous Materials Incident Response," and replacing it with a new Article 5.05 "Mitigation Rates for Emergency and Non-Emergency Services", amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by adding a new section XXIII, "Fire Department Mitigation Rates," of Appendix A, "Fee Schedule," to this Code of Ordinances.

Proposed Motion:

I move to approve an ordinance amending Chapter 5.05 of the Towns Code of Ordinances, by repealing existing Article 5.05, "Hazardous Materials Incident Response," and replacing it with a new Article 5.05 "Mitigation Rates for Emergency and Non-Emergency Services", amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by adding a new section XXIII, "Fire Department Mitigation Rates," of Appendix A, "Fee Schedule," to this Code of Ordinances.