

ORDINANCE NO. 2025-59

AN ORDINANCE ENACTING CODIFIED ORDINANCE 133.51 IMPLEMENTING A PROGRAM TO RECOVER COSTS ASSOCIATED WITH THE DELIVERY OF PUBLIC SAFETY SERVICES BY THE MUNICIPALITY FOR EMERGENCY RESPONSE INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: TRAFFIC CRASH RESPONSE, GAS LINE REPAIR, UTILITY COMPANY WAIT TIME, ILLEGAL BURN, SEARCH AND RESCUE, STRUCTURE FIRES, HAZMAT RESPONSE, FALSE ALARMS, WATER RESCUE, MINING INCIDENTS AND PREPPING FOR CAREFLIGHT; ALL BEING PUBLIC SAFETY SERVICES THAT ARE REQUIRED DUE TO AN INDIVIDUAL'S NEGLIGENCE AND ARE BEYOND THE USUAL BASIC PUBLIC SAFETY SERVICES.

WHEREAS, the Municipality's public safety service departments continue to respond to an ever increasing number of emergency and potential emergency events each year; and

WHEREAS, in addition to the ever increasing number of events each year, more and more regulations are being implemented regarding training and equipment, also increasing and placing additional demands on how public safety services must be performed; and

WHEREAS, maintaining an effective response time and meeting all training and equipment regulations are in the public benefit ultimately decreasing insurance company costs by saving lives and minimizing property damage; and

WHEREAS, residents of the Municipality, and employees of the Municipality and their dependents, pay taxes to the Municipality in the form real estate and other income taxes; and

WHEREAS, increasing these taxes to residents and employees and their dependents would be unfair in light of the ever increasing number of public safety services which are often rendered to individuals not owning property or paying taxes to the Municipality; and

WHEREAS, the Municipality's Council desires to implement a fair and equitable procedure by which to recover costs associated with public safety services rendered to and shall establish a process to recover the costs for providing these public safety services.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WILLOWICK, LAKE COUNTY, OHIO, THAT:

SECTION 1. That Ordinance 133.51 Recovery Costs for Public Safety Services provided to shall be enacted as set forth in Exhibit "A", attached hereto and incorporated herein by reference, and shall be effective upon passage. The costs imposed for public safety services shall be that which are the usual, customary and reasonable costs (UCR), which shall include costs for any service, personnel, supplies, equipment and management. It is anticipated that these costs will vary based on the actual cost of the individual events and public safety services so rendered.

SECTION 2. The costs shall be charged to the responsible or at fault person and filed with their insurance carrier as a claim for negligent acts, damages of vehicles, property and/or injuries. In the event that an insurance company declines payment or the negligent at fault person is uninsured, the negligent at fault party will be held financially responsible.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council _____

Monica Koudela, Council President

Submitted to the Mayor: _____

Approved by the Mayor: _____, 2025

Michael Vanni, Mayor

ATTEST: _____
Alyssa Moran, Clerk of Council