

ORDINANCE #

AN ORDINANCE OF THE BOROUGH OF CORSICA,
JEFFERSON COUNTY, PENNSYLVANIA, PROVIDING FOR THE
REIMBURSEMENT OF EMERGENCY SERVICE COSTS

Council of the Borough of Corsica, Pennsylvania, hereby ordains as follows:

SECTION 1.

Any person who intentionally, negligently, accidentally, or otherwise causes a motor vehicle accident, hazardous material or substance spill or any other act or omission necessitating the providing of emergency services by the Borough of Corsica or the Corsica Volunteer Fire Company ("Fire Company") within the boundaries of the Borough or the service area of the Fire Company shall be liable for all costs incurred by the Borough and/or the Fire Company as a result of such accident, spill or other act of omission. The remedy provided by this ordinance shall be in addition to any other remedies provided by law.

SECTION 2.

For the purpose of this Ordinance, "hazardous materials" shall be defined as any substances or materials in a quantity or form which, in the determination of the Emergency Management Coordinator, or other authorized representative of the Borough poses an unreasonable and imminent risk to the life, health, or safety of persons or property or to the ecological balance of the environment, and shall include, but not be limited to, such substances as explosives, radioactive materials, petroleum products or gasses, poisons, etiologic (biologic) agents, flammable, corrosives or materials listed in the hazardous substances list of the Pennsylvania Department of Labor and Industry.

SECTION 3.

The authority to recover costs under this Ordinance shall not include actual fire suppression services which are normally or usually provided by the Fire Company.

SECTION 4.

For purposes of this Ordinance, the charges for use of the Borough and Fire Company emergency services equipment, materials and personnel shall be established by resolution of the Borough Council.

SECTION 5

In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence clause or part of this ordinance, it being the intent of the Borough that such remainder shall be and remain in full force and effect.

SECTION 6.

Except as specifically provided herein, all other prior Ordinances or parts of Ordinances that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 7.

This Ordinance will become effective 5 days after passage by Borough Council.

ORDAINED AND ENACTED at a regular meeting of the Council of the Borough of Corsica, Jefferson County, Pennsylvania, on the ____ day of March, 2002.

BOROUGH OF CORSICA

By _____
Council President

ATTEST:

Secretary

AND NOW, the ____ day of March, 2002, the foregoing Ordinance is hereby approved.

Mayor