

CHAPTER 10.08REIMBURSEMENT FOR PROTECTIVE SERVICES

10.08.010 Purpose. The purpose of this Chapter is to provide for a procedure for obtaining reimbursement from responsible individuals for the expenses of any emergency response by the City to protect the public from fire or hazardous substances. (Ord. 87-16)

10.08.020 Definitions. The meaning of the terms used herein shall be as set forth in the Uniform Fire Code, then adopted and in use in the City, and such terms as are included in Chapter 1, Part 1 of Division 12 of the Health and Safety Code commencing at Section 13000 relating to liability for fires and hazardous substances.

10.08.030 Reimbursement Required. In accordance with the Health and Safety Code Section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the City to provide an emergency response to a danger posed by a fire or hazardous substance shall reimburse the City for the costs incurred.

10.08.040 Report. A City department involved in an emergency response may submit a report to the City Manager indicating:

- A. The costs incurred.
- B. The person or entity apparently responsible for reimbursing the City.
- C. The basis of the determination regarding responsibility.

10.08.050 Notice to Responsible Party.

A. If it is reasonably likely that the party identified in the report is responsible for reimbursing the City, the City Manager may submit a demand to the identified party. The City Manager is authorized to accept a reasonable offer of reimbursement.

B. The City Manager may set the matter for administrative hearing by the City Council. Notice of the date set for hearing and the department report shall be sent to the person or entity to be charged together with a copy of the administrative hearing procedures contained in the Municipal Code.

10.08.060 Action by City Council. If the matter is referred to the City Council for administrative hearing, the City Council shall, by resolution:

- A. Confirm or disallow the charge, in full or in part;
- B. Determine the amount of reimbursement owed by the party to the City; and
- C. Direct that the City commence collection proceedings against the party.