

**150-O-19**

**AN ORDINANCE**

**Amending City Code Subsection 9-2-3 to Add Emergency Incident Cost Recovery Fees**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

**SECTION 1:** Subsection 9-2-3, of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**9-2-3. – FEES CHARGED.**

- (A) The Fire Chief may charge a reasonable fee for all salvage and overhaul work performed and for standby use of fire equipment and personnel. Such fees shall not exceed actual costs plus ten percent (10%) and all fees collected shall be remitted to the City Collector.
- (B) Both nonresidents and residents of the City of Evanston who have been provided emergency ambulance transport service by the City shall be required to pay a fee to the City, for each incident. All persons requiring transport to a hospital by the Evanston Fire Department (or its designees) and related services hereafter defined, shall be charged, per person, as follows:

BLS Transport \$1,500.00

ALS Transport \$1,500.00

ALS2 Transport \$1,500.00

Mileage \$10.00

BLS TRANSPORT:	Transportation that requires basic life support service.
ALS TRANSPORT:	Transportation that requires advanced life support service
ALS2 TRANSPORT:	Transportation that requires more extensive/invasive advanced life support services.

MILEAGE:	Charge per miles of transport in ambulance.
VEHICLE OWNER	The registered or legal owner or person who is otherwise entitled to possession of the motor vehicle.

- (C) Each property owner or vehicle owner that receives any of the following emergency services from the City shall be charged the corresponding recovery fee for such services:
1. Fire Department response to a motor vehicle accident shall be charged a fee of \$520.00;
  2. Fire Department response to a vehicle fire shall be charged \$605.00;
  3. Fire Department response to a structure fire shall be charged \$500.00; or
  4. Fire Department response to an incident requiring a special rescue, including but not limited to: industrial or vehicle extrication, above & below grade, confined space, structural and/or trench collapse incidents, shall be charged a fee of \$400.00.
- (D) The City Manager or designee shall cause a bill to be issued and sent to the appropriate entity or person responsible for payment for said person having been transported by ambulance, having received emergency medical services, or Fire Department Response specified in this section. The City Manager is authorized to modify or change the fees that may be charged from time to time after consideration of certain factors. Such factors that may be considered by the City Manager include, but are not limited to, applicable Medicare rates, reimbursement rates, cost standards in the insurance or health care industry, and actual cost of services and supplies. The City Manager shall cause such schedule of fees to be made available to the public on the City's website.
- The City Manager may waive or reduce the fees charged in Section 9-2-3 if the individual demonstrates financial hardship. Waiver or reduction in fees shall not create a precedent and shall be performed at his/her sole discretion.
- (E) The City Manager or designee is hereby authorized to accept payment from Medicare, Medicaid, any Federal health care program, insurers, or other third party payers for any fee charged under this section. The fees that are to be charged to persons shall differentiate between nonresidents and residents.

1. In relation to residents, the City will charge and collect only those amounts that are covered by Federal health care programs, including but not limited to Medicare and Medicaid, insurers, or any other third party payers. Such bills will be sent directly to the third parties, with a statement to the resident indicating that the City will accept the payment by the third party as payment in full. Any and all payments made by the aforesaid third parties for residents, will be accepted by the City as paid in full and the resident will have no obligation to make any additional payment as a co-payment, deductible, or otherwise.
  2. In relation to nonresidents, the nonresident shall be liable and responsible for full payment of the transportation and services provided.
  3. All fees collected in conformance with this section shall be deposited in the general fund of the City.
- (F) The City Manager is hereby authorized to promulgate rules, regulations, and procedures for the implementation of this section.
- (G) Nonemergency use of Fire and Life Safety Services Department personnel, vehicles, equipment or building shall not be permitted without written approval by the Fire Chief or his/her duly authorized representative.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** The findings in this Ordinance, and the legislative Record, are declared to be prima facie evidence of the law of the City of Evanston, and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 4:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 5:** Ordinance 150-O-19 shall be in full force and effect after its passage and approval.

Introduced: November 18, 2019

Adopted: November 25, 2019

Approved:

December 16, 2019

Stephen H. Hagerty  
Stephen H. Hagerty, Mayor

Attest:

Eduardo Gomez  
~~Devon Reid, City Clerk~~

Eduardo Gomez, Deputy City Clerk

Approved as to form:

Michelle L. Masoncup  
Michelle L. Masoncup, Corporation  
Counsel