

Town of Rockport

Fire Department
Services Restitution
Policy



Adopted: December 11, 2023
Revised January 8, 2024

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Section 1 – Statement of Purpose:

The Town of Rockport is engaged in providing fire suppression, fire rescue and fire safety services; and in consideration of services rendered hereby desires to set the following restitution policy for Fire Department services. This ordinance is adopted pursuant to municipal home rule ordinance authority and Title 30-A MRSA, Section 3001.

1.1 Protects

Protects all the Residents and Individuals by providing for the possible recovery of Costs the Rockport Fire department incurs while performing rescue, safety, and fire suppression services in response to incidents.

1.2 Compensation

Compensates the Town by giving the Rockport Fire department the authority to claim against available insurance policies or to seek an enforceable court ordered judgement for restitution recover material, labor, monetary and consumables resources the Rockport Fire Department uses to respond to incidents.

1.3 Promotes

Promotes the health, safety and general welfare of Residents and businesses.

1.4 Services

Ensure the Rockport Fire Department services shall not be denied to, or withheld from, any Rockport Resident or Individual because insurance coverage does not exist.

1.5 Calls

Calls for the highest possible standards of Rockport Fire Department services.

Section 2 – Definition of Services

The Town of Rockport will seek payment for the cost of services provided by the Town of Rockport Fire Department when responding to incidents in the Town of Rockport. Services the Town of Rockport shall seek payment for include, but are not limited to:

2.1 Scene and safety control at traffic accidents

Positioning of fire apparatus and personnel to protect the scene from other traffic and deny entry into the scene of unauthorized personnel. Police will move traffic around the area the Fire Department has deemed as the safe zone for the occupants of the vehicles and the rescuers on the scene. Safely staging other incoming agencies responding to this incident may also include a pulled hose line for protection of people on scene from possible fires and fumes or residue from such things as gasoline and air bag propellants. The most important function is establishing incident command of the scene, which is the Fire Department's responsibility at emergency incidents and to coordinate with other responding agencies for their needs at the scene. Patient

care is the responsibility of Emergency Medical Service (EMS) personnel, but assistance may be requested. This does not pertain to Rockport residents, they are excluded from this, unless criminal activity has taken place.

2.2 Disentanglement operations and assist rescue with extrication from vehicles.

Anytime a person must be lifted or taken out of an emergency or forcible entry is necessary to gain proper access to victims, the Fire Department will assist ambulance or EMS personnel in a coordinated effort. This could include, but is not limited to car accidents, industrial accidents, confined spaces, below grade rescues, or high angle rescues to name just a few. Ropes, ladder devices, air monitoring equipment, self-contained breathing apparatus, hydraulic equipment, shoring, saws, cribbing, and air bags are just a few of the types of equipment used in extrication incidents. This does not pertain to Rockport residents, they are excluded from this, unless criminal activity has taken place.

2.3 Fluid and hazardous substance mitigation at traffic accidents

Anytime the Fire Department has to manage any fluids or hazardous substances through containment or absorption with pads, sand or other means permitted by the Department of Environmental Protection (DEP). Mitigation of all hazardous substances is performed in accordance with DEP regulations. This does not pertain to Rockport residents, they are excluded from this, unless criminal activity has taken place.

2.4 Vehicle Fires

Anytime the Fire Department personnel must contain or extinguish a fire. It also includes the laying of hose lines and positioning a hand line for the protection of individuals at the scene because of fire, smoke, or leaking fluids, such as gasoline. This does not pertain to Rockport residents, they are excluded from this, unless criminal activity has taken place.

2.5 Criminal Calls

Any calls where the Rockport Police Departments deems the call as a Criminal Activity where were the fire department assists.

2.6 False Alarms

Automatic alarm equipment that malfunctions more than three (3) times during a calendar year. Alarm malfunctions triggered by power outages, electrical storms, or other weather-related occurrences shall not count.

2.7 Flooded Basements

When the Fire Department is requested to assist with pumping water from a property or boat. Gas, electric and battery pumps are supplied, with hard suction and hose to remove water away from the structure or boat. Also includes all fuel supplied to keep the pumps or generators running.

Section 3 – Fees for Services

Fees for services shall be limited to cost recovery. Methods of calculating the cost of services shall be identified and generally based upon the average cost or specific cost of providing the service. Cost calculations will include direct costs (apparatus, personnel and any miscellaneous supplies and services).

All fees collected shall be deposited in the Fire Department Capital Equipment Account.

Section 4 – Restitution and Billing Procedure

The Town may seek restitution for costs of Fire Department services by filing claims with the insurance companies that ensure the individuals or companies involved in an incident where Fire Department Services are provided. The Select Board is authorized to enter into a Cost Recovery Agreement with a third-party billing company for the billing and collection of fees for Fire Department services through the filing of insurance claims. All such claims shall be submitted in the name of the Town of Rockport. The Town shall only seek restitution for Fire Department Services from insured individuals or companies.

The Select Board is authorized to institute legal action to collect insurance claims that remain outstanding for more than 60 days. The Select Board is authorized to write-off claims, when a claim is not paid with a valid reason (insured not at fault, not covered) or if all attempts to contact the insurance company fail by any common method available.

Section 5 – Compensation

Terms of compensation to the third-party billing company shall be agreed upon and approved by the Select Board and set forth in the terms of the Cost Recovery Agreement.

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|---------------------------|--------------|
| 1. Fire Apparatus | \$250 Hourly |
| 2. Fire Department Pickup | \$150 Hourly |
| 3. UTV | \$100 Hourly |
| 4. Chief Officers | \$40 Hourly |
| 5. Firefighters | \$30 Hourly |
| 6. Extrication/Jaws | \$500 Hourly |
| 7. Hazardous Spill | \$300 Hourly |
| 8. Specialty Equipment | \$20 Hourly |

9. Gas Powered Equipment \$20 Hourly

10. Battery Powered Equipment \$10 Hourly

Section 6 – Administration and Enforcement

It shall be the duty of the third-party billing company to effectively pursue the requirements of this Ordinance for payment of services rendered by the Fire Department as specifically outlined above.

Section 7 – Insurance Requirements

The third-party billing company shall always, during the term of the agreement, have a valid General Liability insurance policy, a Cyber Liability policy, an Error and Omissions Policy and the Town of Rockport shall be named as additionally insured.

Section 8 – Validity and Severability

If any section or provision of this Policy is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Policy.

Section 9 – Conflict with Other Policies

This Policy shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, by law, permit, or provision of law. Where this Policy imposes a greater restriction upon the use of Fire Department Services, the provisions of this Policy shall control.

Section 10 – Adoptions and Signatures


The Rockport Select Board approved this Fire Department Services Restitution Policy on January 8, 2024, and it will take place of any prior related policies.


Denise Munger, Chair


Eric Boucher, Vice-Chair

James Annis, Member


Kimberlee Graffam, Member


Michael Thompson, Member
