

**IN TOWN COUNCIL**  
**DEXTER, MAINE**

**ORDINANCE C2012-6**

**APRIL 12, 2012**

**BE IT ORDAINED**, that the Dexter Town Council hereby amends Chapter 11, Streets and Roads; to add Section 11-62 Traffic Incident as follows:

**Section 11-62 Traffic Incident Ordinance**

**Section 1. Title, Authority, Purpose, and Definition**

**A. Title**

This ordinance shall be known and cited as the Traffic Incident Ordinance of the Town of Dexter, Maine, and will be hereinafter referenced to as the “Ordinance”.

**B. Authority**

This ordinance is adopted pursuant to Title 30-A, MSRS Section 3001 (Home Rule)

**C. Purposes**

The purposes of this ordinance are:

1. To protect the citizens of Dexter from potential expenses incurred through emergency services provided at incident scenes.
2. To recover costs associated with incident scene traffic control, victim extrication, and clean up.
3. To promote the health, safety, and general welfare of Dexter residents.

**D. Definitions**

**Traffic Incident:** Any vehicle event to which the Town of Dexter Fire Department services were dispatched, or requested by Penobscot County Dispatch, written mutual aid agreement, or any other state or local agency.

**Costs:** Expenses incurred in/of traffic control, extrication of victims, control of hazardous or other materials, control of fire, or overall scene safety

**Fault:** The individual indicated of wrong doing as contained in a police incident report.

**Individual:** Any person, corporation, partnership, firm, organization, or other legal entity.

**Resident of the Town of Dexter:** Any individual domiciled in the Town of Dexter as of the date that the incident occurred and/or services were offered and or rendered.

**Section 2: Availability, Conflicts, Affective Date and Amendments.**

## **A. Applicability**

- 1.** The provisions of this ordinance shall govern all traffic incident scenes to which the Dexter Fire Department are dispatched or requested by the Penobscot County Regional Dispatch, written mutual aid agreement, or any state or local agency to: control or confine hazardous materials; extinguish fire, or overall scene safety.
- 2.** This ordinance shall be applicable to all individuals who receive emergency services provided by the Town of Dexter Fire Department at an incident scene, except those residents of the Town of Dexter as of the date that services were offered and/or rendered.

## **B. Responsibility**

- 1.** Any individual, other than a resident of the Town of Dexter, who is deemed at “fault” will be responsible for the cost of any services as described in Section 3, “Applicability” and will be held responsible for the cost of those services offered and/or rendered.
- 2.** In the event that no fault is determined, the individuals who receive and/or had the services offered will be responsible for those costs.
- 3.** At no time will any resident of the Town of Dexter be held responsible or be billed for any costs incurred under the authority of this Ordinance.
- 4.** The individuals shall have the burden of providing that they are residents of the town of Dexter as of the date of the incident.

## **Section 3: Administering and Collections**

### **A. Administering Bodies and Agents**

- 1.** Fire Chief: The Municipal Fire Chief of the Town of Dexter, or his/her designated agent, hereinafter called the Fire Chief, and shall be responsible for:
  - a.** It shall be the duty of the Fire Chief to issue all bills relating to this Ordinance within thirty (30) days from the date of the incident.
  - b.** A copy of such notices and fees collected shall be submitted to the Municipal Officers to be maintained as a record.
  - c.** The Municipal Officers shall have the authority to institute legal actions when the above action does not result in payment, or if payment is not received within sixty (60) days from the date that the bill was submitted to the individual. The Municipal Officers upon notice from the Fire Chief will have the option to institute any and all actions and proceedings which may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town of Dexter.
- 2.** It shall be the duty of the Fire Chief, to keep a complete record of all incident-billing transactions for the Dexter Fire Department. Including individuals involved in the incident.
  - a.** The fire department shall keep an up to date cost schedule for apparatus, equipment, materials, and manpower for billing purposes.

Motion to place on next month’s agenda.