

**FORESTHILL FIRE PROTECTION DISTRICT
ORDINANCE NO. 2021-01**

**AN ORDINANCE OF THE FORESTHILL FIRE PROTECTION DISTRICT ADOPTING
PERMITTING REQUIREMENTS AND FEES FOR SPECIAL EVENTS**

RECITALS

WHEREAS, the Foresthill Fire Protection District ("District") is a fire protection district organized pursuant to the Fire Protection District Law of 1987, Health and Safety Code section 13800, et seq.; and

WHEREAS, pursuant to Health and Safety Code section 13862, the District is authorized to provide emergency medical service and ambulance service within its response area, including on a standby basis ("Standby Ambulance Service"); and

WHEREAS, the District is a "Local EMS Agency" within the meaning of Section 8.04.020 of the Placer County Code and is therefore authorized to exercise certain powers described in Chapter 8, Health and Sanitation, of the Placer County Code; and

WHEREAS, the District is committed to providing and maintaining a high level of service to the residents and visitors within the District's response area ("Response Area"); and

WHEREAS, some events taking place, in whole or in part, within the District's response area, including, but not limited to, outdoor foot races, equine events, bicycle races, and other gatherings of people, present a high potential for the need of the District's emergency medical services and Standby Ambulance Service ("Special Event"); and

WHEREAS, providing Standby Ambulance Service to such Special Events is a constraint of District resources that negatively affects the level of service to the residents and visitors within the District's response area; and

WHEREAS, the monies collected from the organizers of Special Events ("Special Event Organizers") serviced by the District historically have not covered the District's costs associated with providing Standby Ambulance Service to those Special Events; and

WHEREAS, to maintain a high level of service to the residents and visitors within the District's response area in a cost-effective manner, the District must plan prospectively for the anticipated needs for its services by scheduling and distributing ambulances and personnel throughout the District's response area; and

WHEREAS, Special Events requiring Standby Ambulance Service from the District have historically not provided the District with enough notice to allow the District enough time to schedule and distribute its resources in such a manner that does not negatively impact the level of service to residents and visitors within the District's response area; and

WHEREAS, the District Board of Directors ("District Board") previously adopted Resolution No. 2018-01 to address Special Events requiring the District's services.

NOW, THEREFORE, the District Board ordains the following:

SECTION 1 PURPOSE:

The purpose of this ordinance is to:

- 1) Establish permitting requirements for any Special Event ("Special Event Permit");
- 2) Require the district provide Standby Ambulance Service to any Special Event; and
- 3) Impose permit fees and fees for the provision of such services on the organizer of a Special Event ("Special Event Organizer").

SECTION 2 REPEAL OF ORDINANCE NO. 2018-01:

Ordinance No. 2018-01, adopted by the District Board on April 12, 2018, is repealed in its entirety as of the effective date of this ordinance.

SECTION 3 FINDINGS:

The findings made by the District Board in the Recitals above are incorporated herein.

SECTION 4 SPECIAL EVENT PERMITS:

(a) Special Event Permit Requirement.

The Special Event Organizer shall obtain a Special Event Permit from the District for any Special Event, as described in Section 4(b) of this ordinance. In addition to obtaining a Special Event Permit from the District, the Special Event Organizer is responsible for ensuring the Special Event complies with all applicable laws, including Section 8.04.290-A of the Placer County Code.

The Special Event Permit fee shall be listed in the district Master Fee Schedule.

(b) Special Events Requiring Standby Ambulance Service.

Any event falling within following classifications shall be considered a Special Event for purposes of this ordinance and the Special Event Organizer shall obtain a Special Event Permit for the Special Event in accordance with the terms of this ordinance:

- (i) outdoor foot races with expected attendance of fifty (50) or more individuals, including staff; and
- (ii) outdoor bicycle races with expected attendance of fifty (50) or more individuals, including staff; and
- (iii) outdoor equestrian events with expected attendance of fifty (50) or more individuals, including staff; and
- (iv) outdoor motorsport events with expected attendance of twenty-five (25) or more individuals, including staff; and
- (v) indoor events with expected attendance of two hundred and fifty (250) or more individuals, including staff; and
- (vi) Other outdoor events with expected attendance of five hundred (500) or more

individuals, including staff.

(c) **Applications for, Review, and Issuance of Special Event Permits.**

- (i) Applications for Special Event Permits shall be made on the forms available from the district and any questions regarding the need for Standby Ambulance Service should be directed to the district Fire Chief or designee.
- (ii) Applications for a Special Event Permit shall include the Special Event's date, time, location(s), expected attendance of participants and spectators, and any additional information requested by district staff.
- (iii) Following review of an application, the district will notify the Special Event Organizer whether the district will provide Standby Ambulance Service or whether a third-party provider must be retained by the Special Event Organizer.
- (iv) Special Event Permits will specify whether the district is to provide Standby Ambulance Service for a Special Event or whether a third-party provider will provide Standby Ambulance Service.
- (v) Special Event Permits specifying a third-party provider will provide Standby Ambulance Service shall be conditioned on the submittal of written proof to the district from the third-party provider evidencing that the third-party provider has been retained to provide Standby Ambulance Service.
- (vi) Special Event Permits specifying the district is to provide Standby Ambulance Service shall be conditioned on the payment of the deposit required pursuant to Section 5(c) of this ordinance.

(d) **Timely Applications for Special Event Permits.**

Applications for a Special Event Permit shall be submitted a minimum of thirty (30) calendar days prior to the date of the Special Event. Applications for Standby Ambulance Service made less than thirty (30) calendar days prior to the Special Event will not be accepted by the district.

Applications for a Special Event Permit shall be submitted with the appropriate application fee as established by the most recent district Master Fee Schedule. Applications will not be considered complete until such time as the associated application fee has been received by the district.

The district will process applications for Standby Ambulance Service within seven (7) calendar days of the application being deemed complete by the district and receipt of full payment of the required Application Fee.

SECTION 5 SPECIAL EVENT PERMIT FEES:

(a) **Fees for Standby Ambulance Service.**

Special Event Organizers shall compensate the district for Standby Ambulance Service based on the amount of time for which the district's services are necessary and according to subsection (b), below. The amount of the fee will be estimated by the district based on the permit applications submitted by the Special Event Organizer.

Special Events requiring the district's services shall require Special Event Organizers to pay a deposit according to the district Master Fee Schedule and subsection (c), below. The balance owed by the Special Event Organizers will be invoiced within fourteen (14) calendar days following the Special Event and shall be paid within thirty (30) calendar days of the date of the invoice. In the event the deposit amount exceeds the value of the district's services, the district shall refund the excess funds within thirty (30) days of the Special Event.

(b) **Standby Ambulance Service Fees.**

- i. Each Special Event shall be required to complete and submit a Special Event Application with the appropriate fee(s).
- ii. The Standby Ambulance reimbursement fees shall be established and periodically updated by the district and listed on the adopted Fire District Master Fee Schedule.
- iii. The fees for a district provided Standby Ambulance shall consist of an hourly rate, which will include cost reimbursement for rental of the ambulance, plus the overtime costs of personnel to staff the ambulance, plus an administrative rate of 10%. This hourly rate shall be published in the Fire District Master Fee Schedule.
- iv. The Standby Ambulance staffing rates shall be calculated utilizing the following staffing model on any ambulance:
 - 1 – Top Step Paramedic Fire Captain
 - 1 – Top Step Firefighter/Paramedic

(c) **Fee Deposit.**

- (i) For Special Events estimated by the district to incur \$1,000 or less in Standby Ambulance Service fees, the Special Event Organizer shall pay a \$500 deposit to the district, at least fifteen (15) calendar days before the date of the event.
- (ii) For Special Events estimated by the district to incur more than \$1,000 in Standby Ambulance Service fees, the Special Event Organizer shall pay a \$500 deposit plus twenty-five percent (25%) of the estimated total fee.
 - Example, a Special Event estimated to incur \$2,000 in fees shall pay a deposit of \$1,000 [$\$500 + (\$2,000 \times 0.25)$].
 - Any balance due for the total fee due shall be invoiced by the district.

SECTION 6 WAIVER OF FEES:

As permitted, the District Board may waive charges/fees established by this Ordinance and may delegate its authority to the Fire Chief or his/her designee as set forth if determined that charges/fees would not be in the public interest, i.e. reciprocal services provided by other public agencies, employee welfare, personal hardship.

SECTION 7 THIRD-PARTY STANDBY AMBULANCE SERVICE PROVIDERS:

The district shall be engaged to provide Standby Ambulance Service for all Special Events taking place, in whole or in part, within the district's service area unless the district has expressly informed the Special Event Organizer that it is unable to provide such service. In the event the district is unable to provide Standby Ambulance Service for a Special Event, the district will notify the Special Event Organizer within seven (7) calendar days of the submission of the Special Event Permit Application. Under these circumstances, the Special Event Organizer shall be responsible for retaining another provider of ambulance services. It shall be the Special Event Organizer's sole responsibility to ensure the Special Event complies with the provisions of the Placer County Code and the Health and Safety Code, including all applicable licensing requirements. Under no circumstances is the district responsible for providing Standby Ambulance Service for a Special Event unless those services have been pre-arranged.

SECTION 8 VIOLATIONS:

Violations of this ordinance will be enforced by the district pursuant to the full extent of its powers. Any violation of this ordinance not resulting in physical harm to any individual shall be considered a misdemeanor and be enforced pursuant to Penal Code section 19 and/or an Administrative Citation not to exceed a \$1,000.00 penalty for each occurrence.

Any violation of this ordinance resulting in physical harm to any individual shall be considered a felony and be enforced pursuant to Penal Code section 17 AND an Administrative Citation not to exceed a \$1,000 penalty for each injury sustained.

Each and every day an event is held without the required Standby Ambulance shall constitute a separate offense and shall be eligible for enforcement as a separate offense and additional penalties.

SECTION 9 EFFECTIVE DATE; PUBLIC NOTICE:

This ordinance shall become effective thirty (30) days from its adoption.

The District Board shall notify the public of the adoption of this ordinance by publishing in full or in summary within fifteen (15) days after its adoption in a newspaper of general circulation in the Fire District. This public notice shall include the names of the Directors who voted for and against this ordinance.

This ordinance was introduced, and the title thereof read at the regular meeting of the District Board on August 12, 2021.

Date of first reading: August 12, 2021

Approval of first reading:

Michelini AYE

Reams AYE

Harkness AYE

Simonick AYE

Miller AYE

Attest: 
John Michelini, Board President

Date of second reading: September 09, 2021

Approval of second reading:

Michelini AYE

Reams AYE

Harkness AYE

Simonick AYE

Miller AYE

Attest: 
John Michelini, Board President


Patrice Metz, Board Secretary