

**BOROUGH OF EAST ROCHESTER
BEAVER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 344

**AN ORDINANCE OF THE BOROUGH OF EAST ROCHESTER, COUNTY OF BEAVER
AND COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE
ROCHESTER FIRE DEPARTMENT TO RECOVER COSTS AND/OR
EXPENSES FOR ITS SERVICES THROUGH CLAIMS SUBMITTED
ONLY TO INDIVIDUAL OWNERS' INSURANCE POLICIES**

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of East Rochester, County of Beaver and Commonwealth of Pennsylvania, as follows:

SECTION 1: East Rochester Borough wishes to provide for the recovery of any and all costs and/or expenses incurred by the Rochester Fire Department which may be obtainable by the Department through the submission of claims only to the individual owners' insurance carrier for policies which provide for reimbursement to the Fire Department for their services. This includes property insurance, vehicle insurance or any other applicable insurance coverage.

SECTION 2: It is the finding of East Rochester Borough that individual property owners, or vehicle owners, may maintain insurance coverage within their own casualty insurance policies, homeowners' policies and/or other applicable policies that would provide reimbursement to the Fire Department for firefighting and other services rendered in response to emergency service requests.

SECTION 3: The Rochester Fire Department is hereby authorized and directed, by and through its officers and authorized representatives, to ascertain what insurance coverages may be applicable and available under any given circumstance, and to take all necessary and affirmative steps to apply for and receive reimbursement from any insurance carriers for any cost and/or expense incurred for services, supplies and/or equipment used for or provided to the property owner/vehicle owner by the Department.

SECTION 4: Under no circumstances shall any property owner/vehicle ever receive a bill from the Department for fire protection or other services provided by the Department under this Ordinance if no insurance coverage is available or for any amount of service cost that exceeds what is covered by insurance.

SECTION 5: This Ordinance shall be liberally construed to accomplish its purpose to compensate and/or reimburse the Borough from insurance proceeds only for costs and/or

expenses incurred while providing services pursuant to the Rochester Fire Department's duties as emergency responders.

SECTION 6: Rates to be charged will be adopted by resolution of the East Rochester Borough Council and will only be for the use of Rochester Fire Department equipment. Actual costs of services and/or supplies that are usual, customary and reasonable will be totaled and forwarded on to the insurance carrier. Insurance carriers are to submit payment to East Rochester Borough within sixty (60) days of receipt.

SECTION 7: If any section, subsection, sentence, clause, phrase or other portion of this Ordinance is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

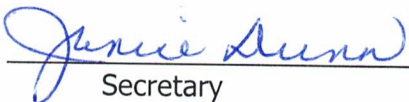
SECTION 8: The provisions of all prior ordinances which are inconsistent with the terms of this Ordinance, to the extent of such inconsistency, are hereby repealed.

SECTION 9: This Ordinance shall be effective upon enactment.

ORDAINED AND ENACTED this 4th day of October, 2023.


ATTEST:

BOROUGH OF EAST ROCHESTER


Secretary

By: 
President

READ AND APPROVED by me this 4th day of October, 2023.


Mayor