

CHESTER SELECTBOARD

PUBLIC HEARING NOTICE

ADOPTION OF FIRE SERVICE REIMBURSEMENT ORDINANCE

The Chester Selectboard will convene a public hearing on a proposed ordinance for Fire Service Reimbursement on **Wednesday, July 16, 2025, at 6:30 p.m.** at the Chester Town Hall at 556 Elm Street in Chester, Vermont.

The full text of the proposed Fire Service Reimbursement Ordinance may be viewed at the Town Clerk's office and on the home page of the Town's website at www.chestervt.gov.

A link to participate in this hearing via Zoom videoconference may be found on the Town of Chester website home page at www.chestervt.gov under Selectboard Meetings.

Dated at Chester, Vermont this 25th day of June 2025.
Julie Hance, Town Manager, Town of Chester, Vermont

Town of Chester
Fire Service Reimbursement

FIRE SERVICE REIMBURSEMENT

Section I. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm activations/automatic alarms means audible and/or visual alarm activations within or outside of a protected property, including those systems incorporating automatic fire department notification.

Emergency incident means those incidents that require fire and/or emergency medical response in an immediate fashion, following established emergency response protocols.

Emergency personnel means the personnel appointed by the town manager who are employees of the town fire department during their involvement in an emergency or non-emergency incident/event.

Emergency systems means a system within any given property provided for activation and occupant and/or emergency services notification in the event of a fire and/or medical emergency.

Fire alarms. See *Alarm activations/automatic alarms*.

Fire chief means the individual appointed by the town manager as the department head responsible for the town fire department.

Hazardous materials incident means those incidents involving the release of any product that could prove a danger to health or the environment.

Malicious incident means those emergency incidents which stem from an individual's intentional purpose to cause property damage, endanger lives, and/or cause the response of emergency personnel for other than an actual emergency.

Medical calls means those emergency incidents in which the town fire department responds in conjunction with the provider of ambulance services.

Motor vehicle accidents means incidents involving one or more motorized vehicles, including cars, trucks, buses, trains, motorcycles, ATVs, snowmobiles, boats, planes and the vehicles and trailers being pulled by motorized vehicles.

Non-emergency incident means those incidents which allow for fire and/or emergency medical response in a less urgent fashion, following established non-emergency response protocols.

Non-permitted burns means the intentional disposal of debris out-of-doors via burning, without the written permission of authorized officials within the fire department.

Nuisance incident means those incidents that are of the same nature, on a repetitive basis, at the same location, due to the lack of servicing to mechanical and/or electrical equipment of an

emergency system, or the failure to correct a previously documented fire hazard, or false reporting of an emergency incident.

Permitted burn means the intentional disposal of outside debris via burning, with permission of authorized officials within the fire department.

Primary coverage area of the town fire department means within the limits of the towns of Chester and Andover.

Special event means those non-emergency events that occur within the town, requiring the presence of emergency personnel and/or permitting by the town, as required by town ordinance, state division of fire safety, the fire department, or as requested by the owner of the involved property or event coordinator.

Technical rescue event means those incidents that require rope rescue, confined space rescue and/or trench rescue services and/or extrication.

Wildland fire means any outside fire involving general natural combustible materials, other than a permitted burn, with no restriction concerning area involved, or size of any damaged area.

Section II: Fire service invoicing eligible occurrences/incidents.

- (a) The following types of occurrences and incidents within the primary coverage area of the town fire department are eligible for invoicing pursuant to this article:
 - (1) Malicious incidents.
 - (2) Nuisance incidents.
 - (3) Motor vehicle accidents.
 - (4) Hazardous materials incidents.
 - (5) Non-permitted burns.
 - (6) Wildland fires caused by negligence.
 - (7) Special events.
 - (8) Medical calls.
 - (9) Technical rescue events.
 - (10) Fire incident response.
- (b) Negligence shall be determined by the fire chief based on the investigation performed by the fire chief or the chief's designee, subject to the right of appeal as described in section V.

Section III. Administrative responsibility.

- (a) The responsibility for invoicing and for application of this article concerning fire service reimbursement is the responsibility of the fire chief.
- (b) The fire chief is authorized to conduct investigations and take other steps that are necessary and provided by law to enforce this article.

Section IV. Invoicing.

- (a) Malicious incidents may be invoiced per occurrence, with the perpetrator to be held responsible.
- (b) Nuisance incidents may be invoiced per occurrence per the Town of Chester Alarm Ordinance dated January 3, 2024. The property owner shall be held responsible.
- (c) Hazardous materials incidents may be invoiced per occurrence, with the property owner and/or supplying company being held responsible. See 10 VSA § 6615.
- (d) Non-permitted burns may be invoiced per occurrence, with the individual responsible for the burn being held responsible..
- (e) Wildland fires caused by negligence may be invoiced per occurrence, with the individual responsible for the fire being held responsible. See 10 VSA § 2643.
- (f) Special events may be invoiced per occurrence, with the property owner or event organizers responsible as indicated at the time of the event planning.
- (g) Technical rescue events in the town and surrounding communities where services are performed may be invoiced per occurrence. In the event multiple individuals are involved, responsibility for costs may be prorated, as determined by the fire chief, among the persons involved.
- (h) Fire incident response. All costs associated with non-durable or consumable goods used to mitigate an incident, such as, but not limited to, extinguishing agent additives, fire extinguisher recharging, and other consumables, i.e. foam, may be invoiced per occurrence to the owner of the property where insurance is available, where the incident occurs and those responsible for causing the incident in the fire chief's discretion.
- (i) Invoicing/reimbursement rates for any incident and/or occurrence shall be as established by the Selectboard. Rates shall be on file at the fire department and town clerk's office and available for inspection.
- (j) Motor vehicle accidents in the town may be invoiced to both town residents and non-town residents for motor vehicle accidents in circumstances where a traffic ticket or citation is issued by a police officer or a physical arrest by a police officer has occurred.
- (k) This article shall be managed by the fire chief or the chief's designee.
- (l) The town shall be reimbursed by the responsible party designated in this section for reasonable and necessary expenses incurred by the town fire department pursuant to the following procedures:
 - (1) Invoices shall be issued by the fire chief or the chief's designee in conjunction with the Town Finance Department.
 - (2) Invoices shall include the dates on which services were provided by the town fire department, the type of incident under this section that is serving as the basis for the invoice, an explanation of the services provided, and the cost of the services provided.
 - (3) Invoices shall provide that payment shall be made to the town treasurer within 30 days of the date of invoice.

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- (4) The invoice shall be mailed first class mail to the last-known address of the person responsible for paying the invoice.

Section V. Appeal.

Any invoice may be appealed to the town manager. The appeal shall be in writing and shall be filed with the town manager within 30 days of the invoice date. The appeal shall be acted upon by the town manager within 15 days after the receipt of the appeal notice. Upon such appeal, the town manager shall act to reverse, affirm or modify in any regard the original invoicing determination of the fire chief. The town manager shall issue a written decision to the aggrieved party.

Section VI. Enforcement.

This is a civil ordinance and shall be enforced by the constable, police, or fire chief in the state judicial bureau in accordance with 24 V.S.A. § 1974a et seq.

Dated at Chester this 16th day of July, 2025.

Lee Gustafson

Arne Jonynas

Arianna Knapp

Tim Roper

Peter Hudkins

This ordinance becomes in effect on September 14, 2025.