



PREVENTION AND TECHNICAL SERVICES MANUAL
ADMINISTRATIVE REQUIREMENTS
301.009 COST RECOVERY PROGRAM
EFFECTIVE: JANUARY 2017

SCOPE

This policy clarifies the Selma Fire Department's (SFD or Department) requirements for a cost recoverable incident.

PURPOSE

This policy has been established to provide direction for pursuing cost recovery for incidents, and issuance of demand letters and invoices.

BACKGROUND

The *Selma Municipal Code* (SMC) identifies when the Fire Chief (or designee) may seek recovery of any direct or indirect costs for a variety of services performed. The consumption of Department resources and services is a serious issue, having a number of wide reaching impacts including Department staffing levels, fire station placement, etc. Cost recovery is an integral part in the Department's overall strategy to reduce the impacts of unwanted fires, and where necessary, have those responsible pay for consumption of limited resources.

REQUIREMENTS

When a person or firm causes a fire and/or hazardous materials release (or other incident identified in the SMC) the responsible party is liable for the fire department response needed to maintain a safe environment.

As noted in *SMC* Chapter 10, Article 5, Section 109. 5:

Cost Recovery. The fire code official or designee may seek recovery of any direct or indirect costs for fire prevention, fire suppression, hazardous material incident response, and protection of the public from fire and life safety hazards. Additionally, acts caused from serious negligence or carelessness, an intentional wrongful act, malice, or failure to comply with a written notice of violation will be subject to the cost recovery program set forth in Selma Municipal Code, Chapter 1, Article 5, and the Master Fee Schedule.

As noted in the *SMC* Chapter 10, Article 5, Section 109.4:

Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued used under provisions of this code shall be guilty of a misdemeanor. Upon failure to comply with a written notice of violation, the fire code official is authorized to impose penalties and, or seek legal action in accordance with Selma Municipal Code, Chapter 1, Article 3. Each day that a violation continues shall be deemed a separate offense.

PROCEDURES

1. When completing an incident report, the company officer shall make a preliminary determination if an incident should be pursued for cost recovery. When the company officer finds sufficient justification exists, the associated report shall be forwarded to the Fire Chief (or designee) who is responsible for the cost recovery program (CRP).
2. Once the member responsible for the CRP receives an incident report meeting the criteria above, the member shall further review all applicable materials related to the incident to determine if pursuit of Department costs meets the intent of the cost recovery section of the *SMC*, and are likely to be recovered.
3. If the member responsible for the CRP determines that the incident meets the intent of the cost recovery section of the *SMC* and is recoverable, an invoice worksheet shall be prepared to determine the cost of the Department's response. Each charge shall be in accordance with the applicable *Master Fee Schedule* category and the time the Department resource was assigned to the scene. Additional time allotments for preparation of the appropriate documents for invoicing will be determined and added to the cost of the response. Additional invoice rates shall be retrieved from the applicable Department rate sheets. The completed Department cost worksheet shall then be forwarded to Accounts Receivable, where an invoice will be prepared, then returned to the member responsible for the CRP. The member responsible for the CRP shall then prepare and complete a letter of demand for services rendered.
4. The letter of demand, pro-forma invoice and invoice worksheet shall be reviewed and approved per the Fire Chief's direction. Once approved, the completed cost recovery package shall be forwarded to Accounts Receivable for final invoice and mailing of documents to the liable party.

REFERENCES

[Selma Municipal Code](#), *Master Fee Schedule*