

CITY OF SEGUIN STATE OF TEXAS ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF SEGUIN, TEXAS AMENDING THE SEGUIN CODE OF ORDINANCES CHAPTER 42, EMERGENCY SERVICES, MITIGATION RATES FOR DEPLOYMENT OF EMERGENCY AND NON EMERGENCY SERVICES AND APPENDIX C, FEES, CHAPTER 42, EMERGENCY SERVICES ARTICLE III, MITIGATION RATES; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the activity and costs associated with emergency services response to incidents continues to increase each year, particularly in lieu of increased Federal requirements; and

WHEREAS, a significant number of incidents, along with their related costs, are due to incidents involving persons who are not Seguin citizens or residents; and

WHEREAS, city staff has investigated different methods to maintain a high level of quality emergency and non-emergency services including methods used by neighboring cities; and

WHEREAS, raising ad valorem property taxes to meet the increase in service demands, particularly those caused by non-residents, would not be fair to Seguin property owners; and

WHEREAS, city staff recommends passage of this ordinance establishing of a fair and equitable procedure by which to collect emergency and non-emergency response mitigation rates from non-city residents.

NOW THEREFORE BE IT ORDAINED by the City Council of Seguin, Texas:

SECTION ONE. The Seguin Code of Ordinances, Chapter 42, Emergency Services, is amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Art. III. Mitigation Rates

Sec. 42-40. Mitigation for the delivery of emergency and nonemergency services.

(a). The city fire department shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents. The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as will be set forth in Chapter 42 of Appendix C of the Seguin Code of Ordinances. Should such items need replacement after incident response, they shall be invoiced at current replacement cost.

(b) A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

(c) The city council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations not consistent with this section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

(d) No fees shall be directly assessed against residents of the City of Seguin, except in those instances in which a resident has started an illegal fire, has been convicted of an offense that constitutes at least a class B misdemeanor that caused or resulted in the collision or fire, or in incidents involving a spill of hazardous materials involving a commercial vehicle.

SECTION TWO. The Seguin Code of Ordinances, Appendix C, Fees, Chapter 42, Emergency Services Article III, Mitigation Rates, to read as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

ARTICLE III, MITIGATION RATES

(A) Motor Vehicle Incidents

Level I MVA ~~\$487.00~~ \$602.00

Provide hazardous materials assessment and scene stabilization.

Level 2 MVA ~~\$554.00~~ \$687.00

Includes Level 1 services as well as clean up and materials used for hazardous fluid cleanup and disposal. We will bill at this level if the fire department must clean up any gasoline or other automotive fluids that are spilled because of the incident

Level 3 - Car Fire ~~\$677.00~~ \$838.00

Includes fire suppression and related expenses

Level 4- EV Car Fire – \$838.00 plus cost of blanket

(B)

Additional Motor Vehicle Services

~~Extrication \$1461.00~~

~~Involves heavy rescue tools, ropes airbags, cribbing and similar work to remove persons from a vehicle when no access to patient is available.~~

~~Landing Zone Creation whenever Air Care is utilized for patient transport \$448.00~~

~~Itemized Response whenever an incident deems that the usual, customary and reasonable rates per apparatus, per personnel, plus products and equipment used are deemed necessary for full cost recovery.~~

~~(C) Additional Time on Scene~~

~~Engine per hour \$448.00~~

~~Truck per hour \$560.00~~

~~Miscellaneous equipment per hour \$336.00~~

~~(D) Hazmat~~

~~Level 1 Basic Response: engine response, first responder assignment, perimeter establishment, evacuations, set-up and command. \$748~~

~~Level 2. Intermediate Response: engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center. \$2,800.00~~

~~Level 3. Advanced response: engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on-scene time. \$6,808.00~~

~~Additional Advance Response time on scene per HAZMAT team per hour \$336.00~~

~~Additional Time on Scene (for all service levels)~~

~~Engine per hour \$448.00~~

~~Truck per hour \$560.00~~

~~Miscellaneous equipment per hour \$336.00~~

~~(E) Fire Investigation, logged time only~~

~~Fire Investigation Team (includes, scene safety, investigation, source identification, K-9 /Ars on dog unit, identification equipment, mobile detection unit and fire report \$308.00~~

~~(F). Fires~~

~~Assignment includes scene safety, investigation Fire I Hazard Control~~

~~Per hour / per engine \$448.00~~

~~Per hour / per truck \$560.00~~

~~May be billed as an itemized event to include personnel, equipment and consumables~~

~~(F) Illegal Fires – When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.~~

~~Per engine/per hour \$448.00~~

~~Per truck/per hour \$560.00~~

~~(H). Water Incidents~~

~~Level 1~~

~~Basic Response includes engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control \$488.00 plus per rescue person/ per hour \$56.00~~

~~Level 2~~

~~Intermediate Response includes Level 1 services plus clean up materials used (sorbents) for minor hazardous clean up and disposal \$896.00 plus per rescue person/per hour \$56.00~~

~~Level 3. Advanced Response Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.~~

~~\$2,240.00 Plus per rescue person/ per hour \$56.00 plus per HAZMAT team member/per hour \$112.00~~

~~Level 4. Incident billed as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.~~

~~(I). Back country or special rescue.~~

~~Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.~~

~~Minimum billed \$448.00 for the first response vehicle plus \$56.00 per rescue person. Additional rates of \$448.00 per hour per response vehicle and \$56.00 per hour per rescue person.~~

~~(J) Chief Response~~

~~Includes the set-up of Command, and providing direction of the incident. Per Hour \$280.00~~

ADDITIONAL RATES

Engine \$554 per hour

Truck \$693 per hour

Chief Officer \$347 per hour

Specialized Apparatus (such as Brush Truck, UTV, boat, etc.) - \$416 per hour

Miscellaneous Equipment - \$416 per apparatus

Heavy Extrication Tools Used- \$1,811 per incident

Creating Landing Zone - \$553 per incident

HAZMAT

Level 1 - \$972

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 – \$3,473

Intermediate Response: Claim will include an engine response, first responder assignments, hazmat certified team and appropriate equipment, perimeter

establishment, evacuations, set-up of command and decon center. PPE to include level A or B donning, breathing air and detection equipment.

Level 3 - \$8,199

Advanced Response: Claim will include an engine response, first responder assignments, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up of command and decon center. PPE to include level A or B donning, breathing air and detection equipment. Will include detection equipment, recovery and identification of materials, disposal and environmental cleanup, as well as the rate. Includes 3 hours of on scene time – each additional hour over, is billed at \$366 per hour, per HAZMAT team.

ADDITIONAL APPARATUS ON SCENE (for all levels of service)

Engine billed at \$554.00 per hour.

Truck billed at \$693.00 per hour.

Chief Officer \$347 per hour

Specialized Apparatus (such as Brush Truck, UTV, boat, etc.) - \$416 per hour

Miscellaneous Equipment - \$416 per apparatus

GAS LEAKS (Natural)

Level 1 – Natural Gas leak, outside without fire - \$523/hour

Description: Minimal danger to life, property, and the environment, leak typically for mechanical damages to a meter or pipe.

Level 2 – Natural Gas leak, Outside with Fire - \$748/hour, plus \$68 per hour, per person.

Description: Moderate danger to life, property, and the environment, leak typically caused from mechanical damage with nearby operating equipment causing a fire.

Level 3 – Natural Gas leak inside structure - \$932/hour, plus \$68 per hour, per person.

Description: Significant danger to life, property, and the environment, leak is typically difficult to identify and locate.

SECTION THREE. If any word, phrase, clause, sentence, or paragraph of this ordinance or the Unified Development Code is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance or the Unified Development Code will continue in force if they can be given effect without the invalid portion

SECTION FOUR. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION FIVE. This ordinance shall be effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

PASSED AND APPROVED on the first reading this 5th day of May 2026

PASSED AND APPROVED AND ADOPTED on the second reading this 19th day of May 2026.

DONNA DODGEN
Mayor

ATTEST:

Kristin Mueller
City Secretary