

ORDINANCE 2001- 01

ORDINANCE TO AMEND CHAPTER 6
SECTION 6-107 OF THE LAPORTE COUNTY CODE

WHEREAS, the LaPorte County Board of Commissioners previously adopted Ordinance No. 90-2 regarding the reimbursement for costs and expenses associated with the operation of the LaPorte County Hazardous Material Response Team, and;

WHEREAS, such Ordinance is further amended by Ordinance 98-1, and;

WHEREAS, it is necessary to further provide for the Amendment and Revision to Chapter 6, Section 6-107 LaPorte County Code.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of LaPorte County that:

CHAPTER 6 SECTION 6-107 of the LaPorte County Code is amended to read as follows:

(a) Any time that the LaPorte County Hazardous Response Team is called to the scene of an incident, the responsible party of the incident shall reimburse the County (at replacement costs) for any hazardous material response equipment or supplies which were damaged, lost, spent, destroyed, rendered irreparable or used up in responding to or managing the incident.

(b) In addition to the reimbursement obligations contained above, the responsible party shall be billed by the LaPorte County Emergency Planning Coordinator for an initial response of hazardous material unit #1000 of one hour or less, the sum of Two Hundred Fifty Dollars (\$250.00). For each additional hour or fraction thereof of on site assistance, One Hundred Fifty Dollars (\$150.00) per Unit #1000.

(1) For expendable materials such as absorption material, emulsifiers, personal protection clothing, etc., the actual replacement costs for these items will be charged.

(2) For collection of debris, chemicals, fuels or contaminated materials resulting from a spill, the actual cost of removal and disposal at an authorized location will be charged.

(c) In the event the LaPorte County Hazardous Material Response Team responds to an incident outside of the boundaries of LaPorte County and in a county with which LaPorte County does not have a reciprocal response agreement, the requesting authority shall be billed the sum of Two Thousand Dollars (\$2,000.00) per incident response. This charge shall be in addition to any and all charges for which the responsible party may be held under this article.

(d) If the LaPorte County Hazardous Material Response Team utilizes "Outside Contractors" or equipment and materials other than that which is part of the hazardous materials team inventory, the responsible party shall be billed the actual costs incurred in connection with such outside contractors (including clean up contractors) or the actual costs of such additional equipment or supplies.

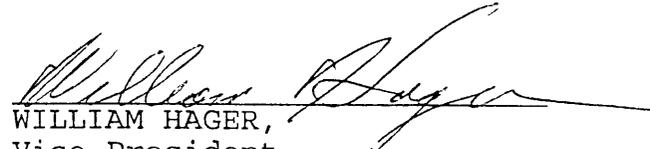
(e) On those occasions when a hazardous material incident only necessitates a response by the LaPorte County Emergency Planning Coordinator or his designee, the responsible party shall be billed by the LaPorte County Emergency Planning Coordinator at the rate of Fifty Dollars (\$50.00) per man/hour (or fraction thereof) for the time committed to the incident by the LaPorte County Emergency Planning Department personnel.

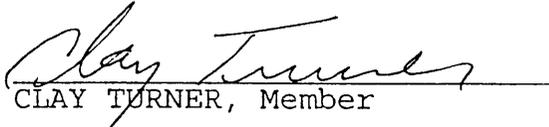
SECTION II. Any Ordinance or parts of Ordinance that are in conflict herewith shall be considered null and void.

SECTION III. This Ordinance shall be in full force and effect after its passage and publication as prescribed by law.

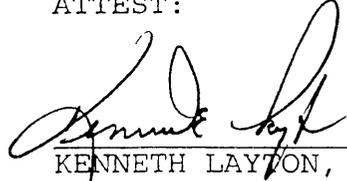
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