

ASHLAND COUNTY'S ICE/WATER RESCUE ORDINANCE

ORDINANCE NO. 0-05-2003-47

RECITALS:

WHEREAS, the City of Ashland and the County of Ashland have entered into an ice/water rescue agreement which is intended to enhance the ice/water rescue services available in Ashland County and the adjacent waters of Lake Superior, and

WHEREAS, such ice/water rescue agreement addresses, among other things, the ownership, housing, maintenance, operation and funding of an ice/water rescue vessel known as a Windmark Ice Angel IV, and

WHEREAS, under the terms of such ice/water rescue agreement, the County of Ashland will sell and transfer its Ice Angel vessel to the City of Ashland, the City of Ashland will provide the ice/water rescue/human body recovery services described therein, and Ashland County will make the payments provided for therein to the City of Ashland, and

WHEREAS, providing increased ice-water rescue services involves not only the direct costs of personnel wages and fuel for active deployment operations, but ongoing expenses associated with training rescue personnel, housing and maintaining the Ice Angel vessel, and

WHEREAS, it does not appear to be feasible to fully fund enhanced ice/water rescue services with user fees, but it is appropriate that the County of Ashland adopt an ordinance which requires those who are rescued/assisted or who benefit to pay a reasonable amount to help defray the costs of supporting this important service,

Now, therefore,

The County Board of Supervisors of the County of Ashland does ordain as follows:

1. Each person who is rescued by, receives the benefit of, or makes a request for, ice/water rescue services provided by the City of Ashland Fire Department, shall pay to the County of Ashland, the fee provided for herein.
2. When the City of Ashland Fire Department recovers a boat, vehicle, or other item of personal property from water and/or the ice thereon, the owner of such item of personal property, the person to whom such personal property is registered, or the person who had been using such item of personal property shall pay to the County of Ashland the fee provided for herein.
3. When a deceased human being's body is recovered by the City of Ashland Fire Department, the estate of such deceased person shall also be liable for payment to the County of Ashland of the fee provided for herein.
4. When a deceased human body is recovered by the County Sheriff or by a deputy of the County Sheriff, the estate of such deceased human being shall pay to the County of Ashland the fee provided for herein.
5. The ice/water rescue agreement between the City of Ashland and the County of Ashland

was in prior to the deployment when it was ready to respond, this to include the cost of employee fringe benefits, and

- 2. The fuel costs associated with such deployment, portal to portal, and
- 3. An appropriate usage charge for the use and operation of all vehicles and equipment involved in the deployment, and
- 4. Any other costs, expenses or charges reasonably attributable to the deployment.

b. When the deployment involves the Ashland County Sheriff's Department, the amount which the Ashland County Sheriff's Department determines was expended associated with such deployment, including each of the items or amounts referred in Section 6(a) above.

7. Any person or estate which is required to pay or is liable for payment of the fee provided for herein to the County of Ashland, shall pay such fee to the County Clerk of Ashland County within thirty (30) days from the date of being billed for the same. Any fee which is not paid by the date the same is due, shall draw interest at the rate of 1 percent per month from the date of billing.

8. In the event any person or estate which is required to pay or is liable for payment of the fee provided for in this ordinance to the County of Ashland fails or refuses to pay the same, the County of Ashland shall be entitled to recover or be reimbursed for its actual reasonable attorney fees, costs and disbursements associated with any suit and/or other collection efforts.

9. Any proceeding brought to recover the fee provided for herein may be venued in the County of Ashland, Wisconsin.

Dated at the City of Ashland, Wisconsin, this 20th day of May, 2003.

<u>Mark Mel</u>	<u>Deanna Kleinstub</u>
<u>Reg Kurilla</u>	<u>Wendy Moore</u>
<u>Mark B. Schmidt</u>	<u>Al F...</u>
<u>Ken Leung...</u>	<u>Carl J. ...</u>
<u>Helen Crateau</u>	<u>George M...</u>
<u>Bud Holt</u>	<u>Fran Ante</u>