

ORDINANCE NO. 14-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES", OF THE CODE OF ORDINANCES BY AMENDING SECTION 96.67, "COLLECTION OF EMERGENCY MEDICAL SERVICES FEES"; TO REMOVE A FIXED INTEREST RATE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Commission of the City of Delray Beach has determined that a need exists to revise and update the City's Code of Ordinances related to Fire Safety and Emergency Services; and

WHEREAS, at present, the City's Code of Ordinances provides a fixed interest and the City Commission desires to remove this fixed rate in order to allow the City administration to establish the interest rate; and

WHEREAS, the City Commission has determined that the adoption of this ordinance in the best interests of the health, safety, and welfare of the citizens and the public at-large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and are hereby incorporated into this Ordinance as if fully restated herein.

Section 2. That Chapter 96, "Fire Safety and Emergency Services," section 96.67, "Collection of Emergency Medical Services Fees," of the Code of Ordinances is amended to read as follows:

Sec. 96.67. - COLLECTION OF EMERGENCY MEDICAL SERVICE FEES.

- (A) The Fire-Rescue Department shall submit bills to patients or to the patient's insurance carrier for the provision of Basic Life Support or Advanced Life Support transportation.
- (B) Any bill remaining unpaid for a period of ninety (90) days shall be considered delinquent. Any delinquent bill shall incur interest ~~at the rate of nine (9) percent per annum~~ at a rate determined by the City Manager. The notice of an interest charge shall be included on the initial bill mailed to the patient.
- (C) The City may collect delinquent charges through any and all available legal remedies.
- (D) The City Finance Department is hereby authorized to accept assignment at the maximum allowable rate of Medicaid, Medicare, and Palm Beach County Health Care District benefits.

- (E) The City Finance Department is hereby authorized to negotiate payment settlements of outstanding debts owed to the City for emergency services rendered when the debtor is unable to satisfy the outstanding balance due.

Section 3. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 4. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 5. Specific authority is hereby given to codify this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the _____ day of _____, 2018.

ATTEST

MAYOR

City Clerk

First Reading_____

Second Reading_____

Approved as to form and legal sufficiency:

R. Max Lohman, City Attorney