



Legislation Details (With Text)

**File #:** 24-605      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Agenda Ready  
**File created:** 4/17/2024      **In control:** City Commission  
**On agenda:** 6/18/2024      **Final action:**

**Title:** ORDINANCE NO. 01-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," SECTION 96.08, "HAZARDOUS SUBSTANCES AND HAZARDOUS WASTE; RECOVERY OF COST," BY ADOPTING A NEW TITLE, "RECOVERY OF COSTS," ADOPTING A NEW DEFINITION FOR FIRE RESCUE RESPONSE, AMENDING THE DEFINITIONS OF COST, HAZARDOUS SUBSTANCE OR HAZARDOUS WASTE, AND PERSON, AND BY ADOPTING REGULATIONS FOR REIMBURSEMENT TO THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Sponsors:** Fire Rescue Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Ordinance 01-24 - Recovery of Fire Costs - Legal Review, 3. BIE--Ord 01-24 Amd Code to allow for recovery of costs for Fire Services, 4. ord 01-24 Fire costs and services

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Kevin Green, Interim Fire Chief  
**THROUGH:** Terrence R. Moore, ICMA-CM, City Manager  
**DATE:** June 18, 2024

ORDINANCE NO. 01-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," SECTION 96.08, "HAZARDOUS SUBSTANCES AND HAZARDOUS WASTE; RECOVERY OF COST," BY ADOPTING A NEW TITLE, "RECOVERY OF COSTS," ADOPTING A NEW DEFINITION FOR FIRE RESCUE RESPONSE, AMENDING THE DEFINITIONS OF COST, HAZARDOUS SUBSTANCE OR HAZARDOUS WASTE, AND PERSON, AND BY ADOPTING REGULATIONS FOR REIMBURSEMENT TO THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Recommended Action:**

Staff recommends the approval of the ordinance to facilitate additional reimbursement of funds to offset the expenses incurred by the City to sustain and purchase specialized equipment for mitigating Hazardous Materials incidents.

**Background:**

The City of Delray Beach has played a crucial role as a State and Regional asset for hazardous material response. Actively addressing numerous HazMat calls within the city, the Fire Department

has joined forces with legal and finance to initiate an ordinance revision. This collaborative effort aims to mirror neighboring departments and HazMat teams, leading to the implementation of a cost recovery program.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

No budgetary impact, BIE reviewed and approved by Finance and Legal.

**Timing of Request:**

June 2024 Implementation