

**TOWN OF WEST PARIS, MAINE  
ACCIDENT FEE RECOVERY ORDINANCE**

WHEREAS, accidents, hazards, spills, and other disasters (Emergencies) occur from time to time within the jurisdiction of the Town of West Paris (the "TOWN");

WHEREAS, the costs such Emergencies impose upon the TOWN can be significant;

WHEREAS, such costs may hinder the financial ability of the TOWN to respond to other future emergencies; and

WHEREAS, the TOWN has an obligation to respond to all such Emergencies;

NOW THEREFORE, pursuant to the authority granted to it, be it hereby ordained by the legislative body of the Town of West Paris as follows:

1. PURPOSES:

The purpose of this ordinance is to protect the citizens of the Town of West Paris from potential expenses incurred through the provision of services to Emergencies and to recover the costs of such expenses.

2. DEFINITIONS:

As used in this Ordinance, the following terms have the following meanings:

- (A) **ACTIONABLE EMERGENCY:**  
All accidents, hazards, spills, disasters, crashes, and other emergencies which result in the TOWN and/or its departments expending costs to remedy, rectify, clean-up, or otherwise ameliorate, which also include:
  - a. Incidents lasting longer than 4 hours.
  - b. Incidents involving a commercial vehicle.
  - c. Incidents exceeding \$2,000 in costs.
  - d. Incidents involving the spill of hazardous materials.
  
- (B) **RESPONSIBLE PARTY:**  
The entity directly or proximately responsible for causing the Actionable Emergency, as determined by the appropriate State of Maine crash report, or by the judgement of the official who directs or manages the TOWN'S response to the Actionable Emergency.
  
- (C) **COSTS:**  
Expenses incurred by the TOWN responding to Actionable Emergencies.

3. AUTHORITY AND SCOPE:

This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution, Title 38, Chapter 1, subchapter 1 of the Maine Revised Statutes as Annotated and, Title 30-A, Section 3001 of the Maine Revised Statutes as Annotated.