

**RESOLUTION NO. 23-09-03**

**A RESOLUTION OF THE LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT (“DISTRICT”), APPROVING A CHANGE IN THE AMBULANCE FEES CHARGED BY THE DISTRICT FOR EMERGENCY MEDICAL SERVICES; PROVIDING FOR RESCISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL CONTRUCTION AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the District is authorized to provide emergency medical services, including emergency medical transport (ambulance) services; and,

WHEREAS, the District provides emergency medical services, including emergency medical transport services, within its boundaries through the use of the District’s own equipment and personnel; and,

WHEREAS, the District’s provision of emergency medical services, including emergency medical transport services, provides a direct benefit to the individuals who use the District’s emergency medical services; and,

WHEREAS, the District’s provision of emergency medical services, including emergency medical transport services, satisfies a public purpose of providing and enhancing emergency medical services to individuals in the District; and,

WHEREAS, the District’s cost of providing emergency medical services, including emergency medical transport services, is funded, in part, through user fees charged by the District to individuals who receive the benefit of emergency medical services from the District; and,

WHEREAS, there is a real and present need and necessity for the District to change the fees the District charges to individuals who receive a benefit from the use of the District's emergency medical transport services as a result of increases in the District's costs of providing emergency medical transport services since the date the current emergency medical transport fees were adopted by the District; and,

WHEREAS, the District adopted Resolution No. 13-09-05 on September 24, 2013, which established the current emergency medical transport fees.

NOW THEREFORE, be it resolved by the Board of Commissioners of the Lehigh Fire Control and Rescue District, that:

**SECTION 1. INCORPORATION OF RECITALS.**

The recitals set forth above are true and correct and form a part of this Resolution.

**SECTION 2. AUTHORITY.**

The Board of Commissioners of the District is authorized to adopt this Resolution by Chapter 191, Florida Statutes, and other applicable laws.

**SECTION 3. NEW EMERGENCY MEDICAL TRANSPORT FEES.**

The categories of fees charged by the District for emergency medical services, including emergency medical transport (ambulance) services, shall be modified to the fees described in the Schedule of Fees attached hereto as Exhibit A. Except as modified by the Schedule of Fees attached hereto as Exhibit A, the District's current fees charged for emergency medical services, including emergency medical transport (ambulance) services, or otherwise, shall remain in full force and effect.

**SECTION 4. SCRIVENER'S ERRORS.**

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Chief, or his designee, without need of public hearing, by filing a corrected or re-codified copy of same with the District's records custodian.

**SECTION 5. SEVERABILITY.**

If any section, subsection, sentence, clause, or other provision of this Resolution is held unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remainder of this resolution.

**SECTION 6. RECISSION.**

The Board of Commissioners hereby rescinds all prior resolutions and other official action of the Board of Commissioners, including any prior adopted emergency medical services fees, including emergency medical transport services fees, to the extent of any conflict with any part of this Resolution.

**SECTION 7. EFFECTIVE DATE.**

This Resolution shall be liberally construed to affect the purposes hereof and shall take effect immediately upon its adoption, Further, the change in the emergency medical services fees described on Exhibit A shall take effect on **October 1, 2023** and, shall remain in effect until further modified by the Board of Commissioners.

The foregoing resolution was offered by Commissioner Carter who moved it's adoption. The motion was seconded by Commissioner Bennett and being put to a vote, the vote was as follows:

Commissioner Melissa Barry	<u>aye</u> MB
Commissioner Linda Carter	<u>aye</u> LC
Commissioner Robert Bennett	<u>aye</u> RJB
Commissioner Debra Cooper	<u>aye</u> DC
Commissioner Lucia Sherman	<u>aye</u> LS

Duly passed and adopted on this 26th day of September, 2023.

(Seal)

**LEHIGH ACRES FIRE CONTROL AND  
RESCUE DISTRICT**

ATTEST:

Debra Cooper  
Debra Cooper, Chair

Melissa Barry  
Melissa Barry, Secretary/Treasurer