

SPONSOR: TOM PLYPLATZ, HAZ-MAT TEAM

REVISED ORDINANCE NO. 6042

ORDINANCE TO AMEND CHAPTER 93 OF THE HAMMOND CITY
CODE, "RESPONSES BY HAZ-MAT TEAM" (ORD. NO. 4993 AND 5023)

WHEREAS, Tom Pyplatz, Senior Captain of the Hammond Fire Department Haz-Mat Team, advises and the Common Council does now find that certain changes are necessary in the operating procedures of the Haz-Mat Team and that base salaries for all ranks of firefighters were changed, effective January 1, 1987, which changes the amount of recovery from at-fault shippers or facilities that suffer hazardous materials situations, to which the Haz-Mat Team responds.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that the Hammond City Code, Chapter 93 (and Ordinances 4993 and 5023), be, and it hereby is, amended as follows:

1. Sub-paragraph (A) of §93.36 is amended to change the amount which an at-fault shipper must pay the City for the response of the Haz-mat Team's initial response vehicle, Squad One, from \$100 per hour (or fraction of an hour) to \$150 per hour (or fraction of an hour);
2. Sub-paragraph (B) of §93.36 is amended to read as follows:

Shippers and other owners or users of vehicles, who cause or suffer leaks or spill of hazardous or toxic materials or other potentially dangerous situations involving hazardous or toxic materials within the city, for which leaks, spills, Hammond Fire Department vehicles respond, shall reimburse the city within 30 days for the team's equipment, whether used and returned, used and discarded, damaged, lost, spent, destroyed, or rendered

irreparable, pursuant to the equipment inventory which is incorporated by reference as fully as if set out at length herein.

3. Sub-paragraph (C) of §93.36 is amended to read as follows:

Shippers and other owners or users of vehicles, who cause or suffer leaks or spills of hazardous or toxic materials or other potentially dangerous situations involving hazardous or toxic materials within the city, for which leaks, spills, or other situations where more than one member of the Haz-Mat Team responds, shall reimburse the city within 30 days for the man-hours (or fractions thereof) involved in the response, as follows:

The regular, appropriate-by-rank hourly rate of pay for each Haz-Mat Team member involved, plus the regular firefighter overtime rate per hour per man, which overtime rate is constant, regardless of rank.

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4. In §93.36 change the designation of existing sub-paragraph (D) to sub-paragraph (E) and insert a new sub-paragraph (D), as follows:

When the City of Hammond's Hazardous Materials Coordinator (who is also the City's Air Pollution Control Director) responds to a shipper's (or other vehicle owner's) leak or spill of hazardous or toxic materials or other potentially dangerous situation involving hazardous or toxic materials within the City, said shipper or other vehicle owner or user shall reimburse the City within 30 days for his man-hours (or fractions thereof) involved in the response at the rate of one and one-half (1 1/2) times his regular hourly rate of pay.

5. Sub-paragraph (A) of §93.37 is amended to change the amount which an at-fault facility must pay the City for the response of the Haz-Mat Team's initial response vehicle,

Squad One, from \$100 per hour (or fraction of an hour) to \$150 per hour (or fraction of an hour).

BE IT FURTHER ORDAINED by the Common Council that this ordinance shall have full force and effect from and after its passage and approval by the council, signing by the President thereof, approval by the Mayor and publication as required by law.

/s/ REV. JOHN H. PARRISH, President
Hammond Common Council

ATTEST:

/s/ STANLEY KULIK, City Clerk

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City for his approval on the 14th day of April, 1987.

/s/ STANLEY KULIK, City Clerk

The foregoing Ordinance No. 6042 consisting of three (3) typewritten pages, including this page approved by the Mayor on the 14th day of April, 1987.

/s/ THOMAS M. McDERMOTT, Mayor
City of Hammond, Indiana

PASSED by the Common Council on the 13th day of April, 1987, and approval or rejection and approved by the Mayor on the 14th day of April, 1987.

/s/ STANLEY KULIK, City Clerk