

ORDINANCE NO. 88-071

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

SEP 27 1988

ORDINANCE ADDING SECTION 64.209 TO THE SACRAMENTO CITY CODE RELATING TO THE CITY EMERGENCY RESPONSE COST RECOVERY PROGRAM

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS
FOLLOWS:

SECTION 1

Section 64.209 is hereby added to the Sacramento City Code to read
as follows:

§ 64.209 Emergency response cost recovery program.

(a) Liability for costs of emergency response.

Pursuant to the authority vested in the City of Sacramento by
state statute, each person who is under the influence of an
alcoholic beverage or any drug, or the combined influence of an
alcoholic beverage and any drug, whose negligent operation of a
motor vehicle, boat, vessel, or aircraft caused by that influ-
ence proximately causes any incident resulting in an appropriate
emergency response, or whose intentionally wrongful conduct
proximately causes any incident resulting in an appropriate
emergency response, shall pay to said City the expense of such
an emergency response. In no event shall a person's liability
under this section exceed the maximum allowable under state
statute.

(b) Collection of costs.

The expense of an emergency response shall be charged against
the person liable for the expenses under this section. The
charge constitutes a debt of that person to the City of
Sacramento, and is collectible by said City in the same manner
as in the case of an obligation under a contract, expressed or
implied.

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Any person acquitted of, or receiving a dismissal of, all criminal charges arising out of the incident which resulted in the emergency response shall not be charged for the costs of said emergency response. Any such costs paid shall be refunded, with interest at the rate of eight percent (8%) per annum.

PASSED FOR PUBLICATION: 08/30/88

ENACTED: 09/27/88

EFFECTIVE: 10/27/88

Gene Rudin

MAYOR

ATTEST:

Anne J. Mason

Acting CITY CLERK

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