

HAZARDOUS MATERIAL SPILLS

R-107-05

A RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO RECOVER COSTS FOR HAZARDOUS MATERIAL SPILLS/TECHNOLOGICAL DISASTERS

WHEREAS, the Cass County Sheriff Department and Emergency Management Department respond to and assist in the cleanup of hazardous material spills; and

WHEREAS, the cost of this cleanup activity is an unfair burden to the residents of Cass County; and

WHEREAS, the Board of Commissioners should formally establish the means for the citizens to be relieved of the cost of hazardous material spills cleanup; and

NOW, THEREFORE BE IT RESOLVED that the following be adopted. In the cleanup, isolation, safeguarding, response, and recovery from any man-made, technological, or otherwise unnatural emergency or disaster the persons, organizations, companies, or their employees and/or personal representatives responsible for said emergency shall repay to the citizens of Cass County all costs/expenditures related to said cleanup. This shall include, but is not limited to the following:

1. Salaries of all employees, including overtime and benefits.
2. All long distance, cellular and fax telephone calls made.
3. Replacement/repair of all equipment deemed unserviceable by exposure to hazardous materials.
4. Expense of vehicle operations/use of emergency Command Trailer.
5. All other related expenses caused by the emergency, disaster, and cleanup.

BE IT FURTHER RESOLVED that any person, company, organization, or entity who by carelessness, negligence or willful or wanton act causes or allows any release of any hazardous substance or the creating of a situation where the release or possible release of a hazardous substance, or the creation of any man-made or technological emergency or disaster in the County of Cass shall be responsible to the County for the costs of such an event.

ADOPTED: 07/07/2005