

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 25-18**

**AN ORDINANCE AMENDING GREENWOOD MUNICIPAL CODE (1993), AS  
AMENDED, CHAPTER 6, ARTICLE 4, DIVISION XII, TO ESTABLISH A FEE FOR  
NON-EMERGENCY RESPONSES AND LIFT ASSISTANCE AT RESIDENTIAL CARE  
FACILITIES**

WHEREAS, the City of Greenwood Fire Department ("Fire Department") emergency response personnel must be prepared and available to respond to emergencies within and throughout the City of Greenwood ("City");

WHEREAS, utilization of Fire Department emergency response personnel for non-emergency calls to residential care facilities that are compensated to maintain staff to assist their residents places an unreasonable and unwarranted demand on City resources, and impedes emergency responders' ability to respond to true emergencies;

WHEREAS, non-emergency responses and lift assists are regularly being provided by Fire Department emergency responders at residential care facilities for multiples residents, and the City's residents should not be expected to bear those costs;

WHEREAS, it has been determined that to promote the health, safety and general welfare of City residents and the public, and to deter the practice of using publicly-funded emergency services to provide non-emergency assistance to residential care facilities, the City should assess a fee upon residential care facilities for Fire Department non-emergency responses and/or patient lift assists for their residents,

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The text of the Greenwood Municipal Code (1993), as amended, Chapter 6, Article 4., Division XII., is hereby amended to add an additional Section, Sec. 6-163, to read as follows:

**"Sec. 6-163 Non-Emergency Response/Lift Assistance at Residential Care Facilities Fee.**

(a) Definitions. For purposes of this Section, the terms below shall have the meanings ascribed to them below:

1. "Lift assist": a response by the Greenwood Fire Department emergency response unit to a residential care facility for the purpose of lifting an uninjured fallen person, who does not require emergency medical treatment or transportation, to a pre-fall position, or otherwise physically moving the uninjured person who does not require emergency medical treatment or transportation.
2. "Non-emergency response": a response by the Greenwood Fire Department emergency response unit to a residential care facility when there is not an emergency medical condition or medical necessity justifying the presence of the emergency unit at the facility, based upon an assessment by the officer in charge or lead paramedic of the emergency response unit. This term shall include, but is not limited to, responses to calls for personal physical assistance that do not require professional medical attention on an emergency basis, such as calls for transportation to a medical facility or care center for non-emergency medical treatment, or other health care calls more appropriately addressed to a nurse, personal care attendant, or facility employee.
3. "Residential care facility": a facility that is required by state law to maintain a license to operate a skilled nursing home, skilled nursing facility, nursing home, assisted living facility, long term care facility, or extended care facility.

(b) Determination of non-emergency response or lift assist. Based upon the assessment undertaken by the officer in charge or lead paramedic of an emergency response unit dispatched to a residential care facility and their determination that no

emergency medical condition or emergency medical necessity exists and that the response qualifies as a non-emergency lift assist or non-emergency response, the officer in charge or lead paramedic shall declare the incident a non-emergency lift assist or a non-emergency response in their incident report.

(c) Assessment of Fee. The Fire Chief, or designee, shall be authorized to issue a fee, to be billed to the residential care facility, for each incident determined to be a non-emergency response or a lift assist at a residential care facility. For a first, second or third offense per calendar year, the fee shall be \$500.00 per non-emergency response or non-emergency lift assist; for a fourth or subsequent offense per calendar year, the fee shall be \$1,000.00 per non-emergency response or non-emergency lift assist.

(d) Administrative decision. Notice of imposition of fees under the provisions of this section shall be sent to the owner or management of the residential care facility where the incident occurred. The owner, manager, or chief administrative agent regularly assigned and employed on the premises at the time of the occurrence shall be presumed to be the appropriate person at the residential care facility to receive the notice, unless the City of Greenwood is notified otherwise.


(e) Waiver of imposition of fee(s). In the event the Fire Chief, or designee, determines that the City's assessment or determination of a response as a non-emergency response or lift assist was in error or where there were other mitigating factors of which the commanding officer was unaware at the time of the incident, the Fire Chief, or designee, may waive the imposition of the applicable fee(s).

(f) Appeal from administrative decision. Any person subject to a fee under this Section shall have a right of appeal to the Greenwood Board of Public Works and Safety ("Board"). A notice of appeal must be submitted in writing no later than ten (10) days after issuance of the notice of the fee. The written appeal should include the fee reference number and the reasoning why the determination of notice of non-emergency response or lift assist should be reconsidered. After receipt of a written appeal and at a subsequent meeting, the Board shall make its final determination, which it shall report to the appellant in writing. Unless a notice of appeal is properly filed in accordance with this Section within ten (10) days of the issuance of the notice of fee, the fee shall be deemed final."

Section 2. The sections, paragraphs, sentences, clauses, phrases and words of this ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 15<sup>th</sup> day of September, 2025.

  
Michael Campbell, President  
Greenwood Common Council

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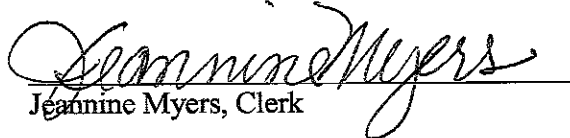
ATTEST:

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 15th day of September, 2025, by the following vote:


AYE: NAY:

Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erin Kasch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Teri Manship	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Absent</i> Michael Williams	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 15th day of September, 2025, is presented by me this 16th day of September, 2025, at 8:00 o'clock A.m., to the Mayor of the City of Greenwood, Indiana.

  
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 15th day of September, 2025, is approved by me this 22nd day of September, 2025, at 11:00 o'clock A.m.

  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana