

**75.460 Payment by insurance company of property owner's bill from fire department -- Property owner's responsibility.**

- (1) If a property owner who is not a member or subscriber of the fire department which charges membership or subscriber fees experiences a fire, incident, or emergency that the department responds to, he may provide his insurance company with the billing statement from the fire department.
- (2) All insurance companies paying a claim pursuant to subsection one (1) of this section shall make payment of the stated charge for service in the following manner:
  - (a) The insurance company may make the check or draft payable to both the affected property owner and the affected fire department; or
  - (b) The insurance company may make the check or draft payable solely to the affected fire department.
- (3) If an insurance company makes a claim check or draft payable both to the property owner and the fire department, the property owner shall make payment to the fire department within thirty (30) days of receipt of the check or draft. If the claim check or draft is not sufficient to cover the charge levied by the fire department, the property owner shall be responsible for payment of the balance to the fire department.
- (4) A property owner who is not a member or subscriber of the fire department who does not have fire insurance coverage shall be fully responsible for payment of all charges levied by a fire department for services rendered in response to a fire, incident, or emergency within thirty (30) days of the date of the response by the department, or within thirty (30) days of the date of an arbitration award rendered pursuant to KRS 75.450(2)(c). Payment to the fire department shall be in full, unless a written agreement has been reached between the fire department and the property owner to establish a payment schedule to satisfy all charges to the property owner.
- (5) If payment for services rendered has not been received within sixty (60) days from the date of response, or within thirty (30) days of the date of an arbitration award rendered pursuant to KRS 75.450(2)(c), and if a payment schedule has not been established, a fire department may proceed in small claims court or in other appropriate court action to recover from the property owner all fees associated with the response, including attorney fees and court costs.

**Effective:** July 15, 1994

**History:** Created 1994 Ky. Acts ch. 43, sec. 7, effective July 15, 1994.