

Bond Case Briefs

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AMBULANCE FEES - WEST VIRGINIA

Randy Waugh/Waugh's Mobile Home Park v. Morgan County Emergency Medical Services Bd., Inc.

Supreme Court of Appeals of West Virginia - November 4, 2015 - S.E.2d - 2015 WL 6829826

The Circuit Court of Morgan County ruled in favor of the Morgan County Emergency Medical Services Board, Inc. in the Board's action against the owner of a mobile home park for the collection of delinquent special emergency ambulance service fees. Owner appealed.

The Supreme Court of Appeals of West Virginia held that:

- A county commission may impose and collect special emergency ambulance service fees;
- An ambulance authority created by a county commission may bring a civil action to collect special emergency ambulance service fees; and
- An emergency ambulance service fee that taxes each household regardless of the number of members \$25 a year to support ambulance services succeeds in tying the burden of the fee to the usage of the service in a sufficiently reasonable way and is valid, lawful and enforceable.