

SIDNEY TOWNSHIP FIRE CHARGE ORDINANCE
NUMBER 10-2020

An Ordinance to establish charges for Fire Department Service under Michigan Public Act 215 of 1895, As amended (compiled law 109.1 etc.) and to provide methods for the collection of such charges and exemptions there from

Sidney Township
County of Montcalm, Michigan

Section 1: Purpose

The within ordinance is adopted for the purpose of providing financial assistance to the Community Fire Department in the operation of a fire department for those receiving direct benefit from the fire protection service. It is the further purpose of the within the ordinance to provide for full funding of the fire department operation which remains, in part, an at large governmental expense based upon the general benefits derived by all property owners within the township from the existence of a Fire Department and its availability to extinguish fire within the township and perform other emergency services.

Section 2: Charges

The following charges shall hereafter be due and payable to the Community Fire Department from a recipient of any of the following enumerated services from the Fire Department.

- A. Fire Department responding to the following will be charged \$500.00.
 - a. Structure Fire
 - b. Oven fire
 - c. Furnace Fire
 - d. Chimney Fire
 - e. Dumpster Fire
 - f. Gas Leak
 - g. Utility line down
 - h. Utility line fire

- B. Fire Department responding to the following calls that result in false alarms will not be charged for the initial call; however, the third call for the same equipment resulting in a false alarm within 90 days will be charged \$250.00.
 - a. Carbon Monoxide
 - b. Smoke Detector
 - c. Fire Alarm

Carbon monoxide resulting in a major emergency will be charged \$100 per hour after the first hour.

C. Fire Department responding to the following will be charged \$500.00

Vehicle Accident

- a. Auto fire
- b. Traffic Control
- c. Gas Leak (wash down)
- d. Extrication (jaws)

D. Fire Department responding to fire suppression and control of aircraft accident shall be charge all the cost of manpower, equipment and material used.

E. Fire Department responding to hazardous material spills shall be charged all the cost of manpower, equipment and material used.

Section 3: Time for Payment for run

All of the foregoing charges shall be due and payable within 30 days from the date the services are rendered and in default of payment shall be collectible through proceedings in district court or in any other court of competent jurisdiction as a matured debt.

Citizens unable to pay may file a hardship application for waiver of payment with the Fire Department treasurer within 30 days after receipt of the invoice.

Section 4: Exemptions

The following properties and services shall be exempt from the foregoing charges:

- A. Fire service performed outside the jurisdiction of the township under mutual aid contract with an adjoining municipality.
- B. City/Township Buildings

Section 5: Collection of charges

The Fire Department may proceed in district court by suit to collect any monies remaining unpaid and shall have any and all other remedies provided by law for the collection of said charges.

Section 6: Non-exclusive charges

The foregoing rates and charges shall be exclusive of the charges that may be made by the township for the cost and expenses of maintaining a fire department but shall only be supplemental thereto. Charges may additionally be collected by the Township through general taxation after a vote of the electorate approving the same or by a special assessment established under the Michigan Statues pertinent there to. General fund appropriations may also be made to cover such additional cost and expenses.

Section 7: Multiple Property Protection

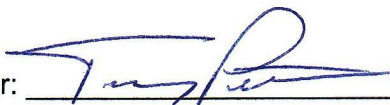
When a particular service rendered by the Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is not involved shall be liable for payment of the full charges for such services outlined herein. The interpretation and application of the within section is hereby delegated to the Township board subject to appeal, within the time limits for payment, to the Township board and shall be administered so that charges shall only be collected from the recipients of the service.

Section 8: Severability

Should any provisions or art of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not effect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

Section 9: Effective Date

This ordinance shall take effect immediately. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Supervisor:  Date: 10-21-2020

I hereby certify that the foregoing is a true and complete copy of the Sidney Township Fire Charge ordinance adopted by the Sidney Township Board at a regular meeting held on the date stated above and I further certify that public notice of such meeting was given as provided by law.

Clerk: Carrie Wilks Date: 10-22-2020