

ORDINANCE NO. 24
FIRE FEES AND CHARGES ORDINANCE

Section 1. POLICY AND PURPOSE

Hereinafter referred to as the “municipality”, finds that the continuing increase in the costs of providing adequate fire protection and other public safety services to the municipality has created an urgent need for additional funds to provide these services. The following provisions are authorized, and it is further declared that the fees are levied solely for the purpose of providing revenue to help defray the costs of the services covered by the fees.

Section 2. TYPES OF FEES

The West Iron County Fire Department fire chief shall collect the following fees:

- (a) Stand-by charges. The fire chief shall collect a stand-by fee for costs incurred by the West Iron County Fire Department that are necessitated by a need for general public safety. This fee will be based on the schedule adopted pursuant to section 3 hereof.
- (b) User's fee. The fire chief shall collect a fee based on costs incurred by the municipality for any service performed by the fire department where a fire requires a call for additional fire personnel above the normal manning as established by the municipal council, from other municipalities.
- (c) Charges for services to non-tax paying institutions. The fire chief shall collect a fee for the total costs incurred by the fire department for service performed to any non-tax paying institution. This fee will be based on the schedule as adopted pursuant to section 3 hereof.
- (d) State mandated duties. The fire chief shall send a bill to the offices of the state or the federal government for actual costs incurred for the performance of duties mandated by them. This billing will be based on the schedule as adopted pursuant to section 3 hereof.
- (e) Ambulance transport fee. The fire chief shall collect a fee of \$50.00 for emergency ambulance transportation service provided by the West Iron County Fire Department.
- (f) Plan check fee. No building permit shall be issued for any multiple family dwelling, commercial, manufacturing or public assembly building until the plans for such building shall have been submitted by the builder to the fire chief for study and comment, and the fire chief has issued a report. The fire chief shall collect a fee of \$10.00 per sheet or page of plans and specifications, for examining proposals for public assembly units. This fee is to offset costs incurred by the fire department during the planning period of any development or construction.

Section 3. FEE SCHEDULES

The fees as provided under this ordinance shall be based on actual costs and the fire chief shall annually present to the municipality, for approval, a fee schedule based on the approved fire department budget. The fee schedule will encompass manpower, equipment, material and maintenance costs in such a form as to insure proper charges for services rendered.

Section 4. CHARGES FOR SERVICE

The above fees shall be binding upon all persons who are in possession of property which receives such services as enumerated above, as well as their successors in interest, assigns, estates and heirs. The owner of the property receiving such services shall be jointly and severally liable for the fees. Amounts due hereunder shall be billed directly to the homeowner and/or person in possession as soon as practicable after a fire, along with a current copy of the Fee Schedule.

Section 5. DISPOSITION OF FUNDS

All monies received under the provisions of this ordinance shall be placed in an account set up for the express purpose of funding expenses necessary to furnish fire protection, emergency medical services and other public safety services including police, by the West Iron County Fire Department.

Section 6. LITIGATION

The West Iron County Fire Department may enforce the provisions of this ordinance by civil actions in court, for the collection of amount due or other appropriate relief.

Section 7. SERVICE NOT TO BE REFUSED FOR NONPAYMENT

Nothing in this ordinance shall authorize the West Iron County Fire Department or arty personnel to refuse or delay any service to any person, firm or corporation that has not paid for service or that owes for previous services or owes any money.

Section 8. PERMITS

In order to preclude false alarms, persons desiring to engage in outdoor burning shall obtain a permit to burn ("burning permit") from the Michigan Department of Natural Resources prior to engaging in any outdoor burning within the municipality. Notice of time and location of any outdoor permitted burning shall be given to the West Iron County Fire Department and the Michigan State Police at least twenty-four hours in advance. A permit shall be limited and strictly construed especially with regard to the time, place and manner of permitted outdoor burning. Fires which go beyond the limits of a permit shall not be deemed to be permitted outdoor burning, and shall be subject to the fees and charges set forth above. Violations of this Section shall subject the violator to an additional fine not to exceed \$500.00, over and above fees and charges.

Section 9. ENFORCEMENT

Should the West Iron County Fire Department be able to collect any amounts due hereunder only by resort to legal action, attorneys fees of the West Iron County Fire Department shall be chargeable to the person(s) responsible for fees, charges or fines hereunder.

Section 10. EFFECTIVE DATE

This Ordinance shall become effective 30 (thirty) days after first publication of such Ordinance.

Adopted by the municipality on the 6th day of November 1991.

James Spicer, Township Supervisor

Joan Luhtanen, Township Clerk