

EXETER TOWNSHIP FIRE CHARGES ORDINANCE

ORDINANCE NO. 42

AN ORDINANCE TO ESTABLISH CHARGES FOR FIRE DEPARTMENT SERVICES UNDER MICHIGAN PUBLIC ACT 33 OF 1951, AS AMENDED (COMPILED LAW 41.801 ETC.) AND TO PROVIDE METHODS FOR THE COLLECTION OF SUCH CHARGES AND EXEMPTIONS THEREFROM.

THE TOWNSHIP OF EXETER, MONROE COUNTY, MICHIGAN ORDAINS:

Section 1: PURPOSE

The within ordinance is adopted for the purpose of providing financial assistance to the township in the operation of its volunteer fire department, from those receiving direct benefits from the fire protection service. It is the further purpose of the within ordinance to assist in funding fire department operations which remain, 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 township fire department and its availability to extinguish fires within the township and perform other emergency services.

Section 2: CHARGES

The township shall charge the property owner of record / recipient of fire department services \$ 500.00 per fire run. Fire runs include but are not limited to the following enumerated services:

- . grass fire
- . rubbish fire
- . automobile fire
- . house and structure fires
- . fire in a commercial establishment
- . fire in an industrial or manufacturing establishment
- . fire in multiple family building
- . hotel or motel fire
- . aircraft fire
- . train fire
- . truck fire
- . forest fire
- . fire department response to dispatch to accident scene

Section 3: EXEMPTIONS

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

- A. False Alarms
- B. Fires caused by railroad trains which are the specific statutory responsibility of railroad companies
- C. Fires involving township buildings, grounds, and/or property
- D. Fire service performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality

Section 4: COLLECTION OF CHARGES

All of the foregoing charges shall be due and payable within 60 days from the date service is rendered, and shall be payable to the Exeter Township Clerk. The Township 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 5: NON-EXCLUSIVE CHARGE

The foregoing rates and charges shall not be exclusive of the charges that may be made by the township for the costs 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 same, or by a special assessment established under the Michigan statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses.

Section 6: MULTIPLE PROPERTY PROTECTION

When a particular service rendered by the Township Fire Department directly benefits more than one person, each person so benefited shall be liable for the payment of the full charge for such service hereinbefore outlined. When a particular service rendered by the Township Fire Department directly benefits more than one property, the owner of each property so benefited shall be liable for the payment of the full charge for such service hereinbefore outlined. The interpretation and application of the within section is hereby delegated to the Township Fire Chief, 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 7: SEVERABILITY

Should any provision or part 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 the ordinance which shall remain in full force and effect.

Section 8: EFFECTIVE DATE

Ordained by the Township Board on March 21, 1995, this ordinance shall take effect 30 days after publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

By Nancy Krzyske
Nancy Krzyske
Exeter Township Clerk

Date 3/21/95

Attest: Cheryl L. Baltrip
Cheryl L. Baltrip
Exeter Township Supervisor

Date 3-21-95

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