

ORDINANCE # 91-05-21-7

WATERLOO TOWNSHIP FIRE CHARGE ORDINANCE

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 SUCH CHARGES AND EXEMPTIONS THEREFROM.

THE TOWNSHIP OF WATERLOO, JACKSON 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 a contractual fire department from those receiving direct benefits from the fire protection service.

Section 2: CHARGES

The following charges shall hereafter be due and payable to the Township of Waterloo from a recipient of any of the following enumerated services.

A. Grass Fire	\$300 Minimum
B. Rubbish Fire	\$300 Minimum
C. Automobile Fire	\$300 Minimum
D. House Fire	\$300 Minimum
E. Fire in a Commercial Establishment	\$300 Minimum
F. Fire in an Industrial or Manufacturing Establishment	\$600 Minimum
G. Fire in Multiple-Family Building (per unit)	\$300 Minimum
H. Hotel or Motel Fire (per unit)	\$300 Minimum
I. Aircraft Fire	\$300 Minimum
J. State or County owned land	Total Cost of Fire
K. Truck Fire	\$300 Minimum
L. Forest Fire	\$300 Minimum
M. Emergency Rescue Service	\$200 Maximum
N. Resuscitator Service	\$200 Maximum
O. Utilities and Telephone Company	Total Cost of Fire
P. Other Services not Specifically Enumerated	Total Cost of Fire

Section 3: TIME FOR PAYMENT FOR RUN

All of the foregoing charges shall be due and payable within 45 days from the date the service is rendered and in default of payment shall be collectable through proceedings in district court or in any other court of competent jurisdiction as a matured debt.

Section 4: EXEMPTIONS

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

- A. False alarms.
- B. Fires involving township buildings, grounds and/or property.

C. Fire service performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality.

**Section 5: COLLECTION OF CHARGES**

The township may proceed in small claims or any court of competent jurisdiction 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 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 contractual 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 statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses.

**Section 7: MULTIPLE PROPERTY PROTECTION**

When a particular service rendered by the contractual 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 the payment of the full charge for such service hereinbefore outlined. The interpretation and application of the within section is hereby outlined. The interpretation application of the within section is hereby delegated to the Respective Fire Department Chief subject only 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: SERVERABILITY**

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 affect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

**Section 9: RIGHT OF APPEAL**

The township board shall have the right to review all charges made to assessed parties for services rendered upon timely application made and determine whether to increase minimum charges, abate fixed charges or to waive charges totally, based upon the facts of any specific claim as it shall appear.

**Section 10: EFFECTIVE DATE**

This ordinance shall take effect 30 days after its publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

DATE ADOPTED: May 21, 1991

Board members present: Beeman, Krummey, Maltby, Sweet,  
Huttenlocher

Ayes: 5

Nays: 0

David J Sweet

Waterloo Township Clerk