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FIRE CHARGES 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 OF SUCH CHARGES AND EXEMPTIONS THEREFROM.

THE TOWNSHIP OF FOREST, MISSAUKEE 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 fire department from those receiving direct benefits from the fire protection service. It is the further purpose of the within 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 contacted fire departments and their availability to extinguish fires within the township and perform other emergency services.

Section 2: CHARGES

The charges shall hereafter be due and payable to the responding fire department at the current contracted rate with said fire department.

Section 3: TIME FOR PAYMENT FOR RUN

All charges shall be due and payable within 30 days from date of billing 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:

- Fires involving township buildings, grounds and/or property.

Section 5: COLLECTION OF CHARGES

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 6: NON-EXCLUSIVE CHARGE

The rates and charges shall not be exclusive of the charges that may be made by the township for the costs and expenses of maintaining cost contracting with said fire departments. 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 a contracted 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 delegated to the responding fire 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: 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 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.

*E. Agnew P. Ts*  
FOREST TOWNSHIP CLERK  
MARCH 7, 1995

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