

Township of Stockbridge
Ingham County, Michigan

ORDINANCE TO REGULATE
FIRE & EMERGENCY MEDICAL ASSISTANCE
CHARGES

Ordinance # 215

Adopted by the Township Board

Effective: August 28, 2001

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Township of Stockbridge
Ingham County, Michigan

ORDINANCE TO REGULATE
FIRE AND EMERGENCY MEDICAL ASSISTANCE CHARGES

Ordinance No.

AN ORDINANCE TO ESTABLISH CHARGES FOR FIRE PROTECTION AND EMERGENCY MEDICAL ASSISTANCE SERVICES UNDER PUBLIC ACT 33 OF 1951, AS AMENDED, COMPLIED LAWS 41,801 etc.; TO PROVIDE METHODS FOR THE COLLECTION OF SUCH CHARGES, APPEALS AND EXEMPTIONS THEREFROM; TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE TOWNSHIP INHABITANTS

THE TOWNSHIP OF STOCKBRIDGE, INGHAM COUNTY, MICHIGAN, ORDAINS:

Section 1

TITLE

This Ordinance is hereby designated and shall be referred to as the “Stockbridge Township Ordinance to Regulate Fire and Emergency Medical Assistance Charges.”

Section II

PURPOSE

The within Ordinance is adopted to provide financial reimbursement to the Township for the furnishing of fire protection and emergency medical assistance services from those receiving direct benefits from such service; to provide for full funding of the fire protection and emergency medical assistance services which remain a large part, and a large governmental expense based upon the general benefits derived by all persons within the Township from the availability of fire protection and emergency medical assistance services to extinguish fires within the Township and perform other emergency services.

Section III

CHARGES

Charges for fire protection and emergency medical assistance services shall be made to the owners of the personal or real property to which the services are rendered per incident and to the persons benefited by the services, The charges shall include the Township’s cost current expenses and accrued fund charges, of fire protection and emergency medical assistance services, plus the cost of administering

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Section III “Continued”

the Ordinance. Where more than one property of person is involved or where there are more than one person who owns an individual property, all persons to whom services are rendered and all owners of properties benefited by such services shall be jointly and severally liable for the charges, The Township Board is hereby granted the right to increase or decrease charges for fire protection and emergency medical assistance services and to establish just and reasonable rates for fire protection and emergency medical services from time to time, too determine billings by class of structure, vehicle, cause service provided, or other reasonable basis, hereafter by resolution. The Township Clerk shall deliver or cause to be delivered statements to the persons and owners liable. Delivery may be done by regular mail to the last known address of the persons or owners liable and a statement shall be conclusively presumed delivered as of the date it is deposited into the United States mail addressed to such persons and owners. The Clerk is authorized to divide the statement among the persons or owners in equal pro-rata shares or some other fashion, or to submit a statement as a single joint, several and undivided liability to all persons and owners involved, in the discretion of the Clerk.

Section IV

TIME FOR PAYMENT

All of the foregoing charges shall be due and payable from the date of delivery of the statement for the service rendered and in default of payment shall be collectible through proceedings in the 55th District Court or any other Court of competent jurisdiction as matured debt including the actual attorney fees and cost of collection. All statements are due sixty (60) days from delivery. After 60 days, unpaid statements shall bear interest at 12% per annum until paid.

Section V

EXEMPTIONS

The following person and properties may be exempt from the foregoing charges if:

- a) There is a False Alarm which is defined as an incident where there was no cause for an alarm and the request for services was not initiated by any action or omission of the persons or owners otherwise liable for the services rendered.
- b) Fire protection services involving township-owned buildings, grounds and / or properties.

Section VI

FALSE ALARMS

Any person intentionally or negligently making or causing a False Alarm to be given, as defined in Section V, a, is liable for the charges incurred and shall be billed for the services rendered. The malfunctioning of an automatic alarm system is a negligent giving of a False Alarm.

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Section VII

APPEALS

Any person may appeal any statement of charges by filing a written appeal. The appeal shall be filed and received at the Township offices within twenty (20) days after delivery of a statement. The Township Board shall notify the person or representative making the appeal of a time, place and date of hearing on the appeal. The person making the appeal may appear in person or through a representative. The Township Board shall determine the appeal. The Township Board is authorized, in the discretion of the Township Board, to waive or reduce a statement of charges:

- a) Where there is unnecessary hardship or undue economic burden on the persons or owners liable for the charges.
- b) Where the rendition of service was made in error at the request of a person or persons other than those liable for the charges, and there was no benefit given or received by the services.
- c) Where there are other extenuating circumstances beyond the control of the persons liable and there was no benefit given or received by the services.

Section VIII

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 providing fire protection and emergency medical assistance services, but shall only be supplemental thereto. The Township through general taxation may additionally collect charges after a vote of the electorate approving the same or by special assessment established under the Michigan statutes pertinent thereto. General fund appropriations may also be made to cover such additional cost and expenses.

Section IX

SEVERABILITY

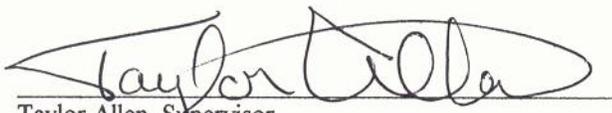
Should any provision or part of the within Ordinance be declared by an Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforce-ability of the balance of this Ordinance, which shall remain in full force and effect.

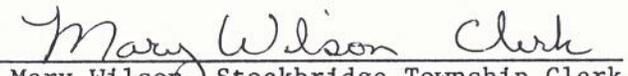
ORDINANCE TO REGULATE
FIRE AND MEDICAL ASSISTANCE CHARGES

Section X

EFFECTIVE DATE

Motion to approve having been made by Mary Curtis, and seconded by Richard Clear, this ordinance was made and passed by the Board of Trustees of Stockbridge Township on the 20th day of August, 2001. This Ordinance shall take effect immediately upon publication.


Taylor Allen, Supervisor


Mary Wilson, Stockbridge Township Clerk

Fee Schedule:

All fees will be determined in accordance with our current fire charge audit. All charges for services will be charged at actual cost plus 10 percent. All Bills will include a \$25.00 administration fee

- 1) Alarm / Smoke Detector System Malfunction.
- 2) Brush fires “Permit must be issued and must be kept under control other wise there will be a fee”
- 3) Hazardous condition and spills
- 4) Utility & Transmission Systems “ Downed wires that would jeopardize the safety and well being of all citizens (Road Closures).
- 5) Personal Injury: Accidents, Medical runs, Road Closures, Hazard Material Spills, Vehicle fires, etc...

Notice of Ordinance Adoption

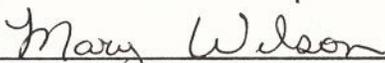
PLEASE TAKE NOTICE that the above Ordinance was adopted by the Stockbridge Township Board on August 20, 2001 at the regular meeting.

The above is the full text of the Ordinance.

The effective date is August 28, 2001.

The ordinance was published in the Town Crier on August 28, 2001.

A copy of the Ordinance may be purchased or inspected at the Stockbridge Township Hall.



MARY WILSON, clerk

Dated August 20, 2001

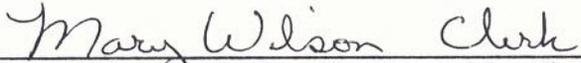
State of Michigan)
County of Ingham)^{SS}

I, Mary Wilson, Stockbridge Township Clerk, do Hereby certify that the within Ordinance was adopted by the Stockbridge Township Board at a regular meeting held on 20th day of August, 2001 by the following roll call vote:

Ayes – 5- Allen, Clear, Curtis, M Wilson & R Wilson

Nays – 0

Absent-0-



Mary Wilson, Stockbridge Township Clerk