

TOWNSHIP OF CRYSTAL FALLS
ORDINANCE NO. 102

AN ORDINANCE TO ESTABLISH CHARGES FOR CRYSTAL FALLS FIRE DEPARTMENT SERVICES AND TO PROVIDE METHODS FOR THE COLLECTION OF SUCH CHARGES AND EXEMPTIONS THEREFROM.

THE TOWNSHIP OF CRYSTAL FALLS, IRON COUNTY, MICHIGAN ORDAINS:

SECTION I
PURPOSE

The within ordinance is adopted for the purpose of providing financial assistance to the Township of Crystal Falls in the operation of the Crystal Falls Fire Department from those receiving direct benefits from the fire protection service; to provide for full funding of the Crystal Falls 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 of Crystal Falls from the existence of the Crystal Falls Fire Department and its availability to extinguish fires within the Township of Crystal Falls and perform other emergency services.

SECTION II
CHARGES

The following minimum charges shall hereafter be due and payable to the Crystal Falls Fire Department from a recipient of any fire protection services from the Crystal Falls Fire Department.

- A. Minimum response fee of \$250.00 within the Township of Crystal Falls
- B. Minimum response fee of \$250.00 within any government unit that contracts for non mutual aid fire protection
- C. All other circumstances, a minimum response fee of \$300.00

In the event the actual costs incurred by the Crystal Falls Fire Department exceed the foregoing minimum charges, then the additional actual costs incurred by Crystal Falls Fire Department for fire protection services shall be billed to the user of such services. All billings shall be sent by the Crystal Falls Fire Department Chief within ten (10) days of the event that required the supplying of fire protection services.

SECTION III TIME FOR PAYMENT

All the foregoing charges shall be due and payable within 30 days from the date the service is rendered and in default of payment shall be collectible through all methods provided by law, including but not limited to proceedings in a court of competent jurisdiction as a matured debt.

SECTION IV EXEMPTIONS

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

- I. False alarms
- II. Fires caused by railroad trains which are the specific statutory responsibility of railroad companies
- III. Fire involving Township of Crystal Falls buildings, grounds and/or property
- IV. Fire service performed outside the jurisdiction of the township under a written mutual aid contract with an adjoining municipality.

SECTION V COLLECTION OF CHARGES

The Fire Chief for the Crystal Falls Fire Department shall proceed against any person or persons of financial means in court by civil suit to collect any monies remaining unpaid from, and shall obtain recovery of all costs incurred in such proceedings, including, but not limited to, actual attorney fees incurred by the Crystal Falls Fire Department, together with all other remedies provided for by law for the collection of said charges.

In the event the Fire Chief for the Crystal Falls Fire Department recommends in writing to the Crystal Falls Township Board that any charges set by this ordinance should not be collected, then the Crystal Falls Township Board shall at least on an annual basis charge off any charges that are not to be collected upon, by a specific motion recorded in the Township of Crystal Falls Board of Trustee minutes, which lists the date of service, the name of the responsible party and the amount involved.

SECTION VI NON-EXCLUSIVE CHARGE

The foregoing rates and charges shall not be exclusive of the charges that may be charged by the Township of Crystal Falls for the costs and expenses of maintaining the Crystal Falls Fire Department, but shall only be supplemental thereto. Charges may additionally be collected by the Township of Crystal Falls through, though not limited to, general taxation after a vote of the electorate approving the same, by a special assessment established under the Michigan statutes pertinent thereto, by contract and/or general fund appropriations.

SECTION VII MULTIPLE PROPERTY PROTECTION

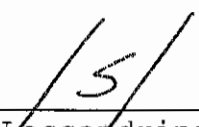
When a particular service rendered by the Crystal Falls Fire Department directly benefits more than one person or property, the owner of each property so benefitted and each person so benefitted where the property protection is not involved shall be liable for the payment of the full charge for such service hereinbefore outlined. The interpretation and application of the within section is hereby delegated to the Crystal Falls Fire Department Fire Chief subject only to appeal, within the time limits for payment, to the Township of Crystal Falls Township Board and shall be administered so that charges shall only be collected from the recipients of the service.

SECTION VIII SEVERABILITY

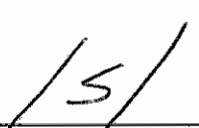
Should any provision or part of this ordinance be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

SECTION IX EFFECTIVE DATE

This ordinance shall take effect on September 30, 2010. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



Thomas Lessandrini
Township Supervisor



Joanne Seppala
Township Clerk

I, Joanne Seppala, Township Clerk for Crystal Falls Township, certify that the above Ordinance Number 102, is a true and complete copy of said ordinance adopted by the Crystal Falls Township Board on September 7, 2010, at a meeting held in the Crystal Falls Township Hall at 9:00 a.m..m. dated September 7, 2010, and signed by Joanne Seppala, Crystal Falls Township Clerk. I further certify that the original of this ordinance has been inserted in the Crystal Falls Township Ordinance Book on September 15, 2010


Joanne Seppala
Township Clerk