ENTERPRISE TOWNSHIP
ORDINANCE ON COLLECTION FEES FOR FIRE SERVICE

ORDINANCE NUMBER: 2
TOWNSHIP FIRE CHARGES ORDINANCE
EFFECTIVE: 8-9-93
ADOPTED: 8-9-93
EFFECTIVE: 7-12-93
AMENDED: 7-12-93

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 ENTERPRISE, MISSAUKEE COUNTY, MICHIGAN ORDAINS:

SECTION I
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 the existence of a joint township fire department and its availability to extinguish fires within the townships and perform other emergency services.

SECTION II
CHARGES

The following charges shall hereafter be due and payable to the township from a recipient of any of the following enumerated services from the township’s fire department:

A. Grass Fire $300
B. Rubbish Fire $300
C. Automobile Fire $300
D. House Fire $300
E. Fire in a Commercial Establishment $300
F. Fire in an Industrial or Manufacturing Establishment $300
G. Fire in a Multiple-Family Building $300
H. Hotel or Motel Fire $300
I. Aircraft Fire $300
J. Train Fire $300
K. Truck Fire $300
L. Forest Fire $300
M. Emergency Rescue Service $300
N. Resuscitator Service $300
SECTION III
TIME FOR PAYMENT FOR RUN

All of the foregoing charges shall be due and payable within 30 days from the date the service is rendered. 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 IV
EMERGENCY STANDBY SERVICES

The above township, as a joint owner of the Merritt Area Fire Department (MAFD) will bill for any emergency services rendered in the covered fire district. That for any emergency standby service there will be a charge of $300 per call for the first two hours and $100 per hour per truck thereafter. An additional cost of $10 per hour per man will also be charged.

SECTION V
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 townships under a mutual aid contract with an adjoining municipality.

SECTION VI
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 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 VII
MULTIPLE PROPERTY PROTECTION

When a particular service rendered by the township 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 Township’s Fire Chief subject only to appeal, within the time limits for payment, to the Township Boards and shall be administered so that charges shall only be collected from the recipient of the service.

SECTION VIII-93
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 IX
EFFECTIVE DATE

This Ordinance shall take effect immediately. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

[Signatures]

ENTERPRISE TOWNSHIP SUPERVISOR

ENTERPRISE TOWNSHIP CLERK

WITNESS

WITNESS