

Ordinance No. 58

COVERT TOWNSHIP, VAN BUREN COUNTY MICHIGAN

FIRE CHARGE ORDINANCE, NO. 58

Section 1: Purpose

This 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 this 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 township fire department and its availability to extinguish fires within the township and perform other emergency services.

Section 2: 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 fire department:

- A. Fire in a structure – \$ 500.00
- B. Automobile fire – \$ 225.00
- C. Arson fires – Cost plus 5% administrative expense for investigation and billing
- D. Emergency rescue service – \$ 150.00
- E. Roadway clean-up – \$ 125.00
- F. Other services not specifically enumerated – Cost plus 5% administrative expense for investigation and billing

Section 3: 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 and in default of payment shall be collectible through proceedings in district court or in any 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. Fire involving township buildings, grounds and/or property

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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 a 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 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 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 township fire department directly benefits more than one person or property, the owner of each property so benefited and each person, jointly and severally, so benefited where property protection is not involved shall be liable for the payment of the full charge for such service hereinbefore outlined.

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 affect 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.

COVERT TOWNSHIP

Dated: February 11, 2003

Dennis Palgen, Clerk