

**TRI TOWNSHIP FIRE DEPARTMENT CHARGES ORDINANCE**

An ordinance to establish charges for Fire Department Services under Michigan Public Act 33 of 1951, as amended (MCL 41.801 et seq) and to provide methods for the collection of such charges and exemptions there from.

The Townships of Briley, Avery and Loud, Montmorency County, Michigan Ordains:

**1. Purpose:**

The within ordinance is adopted for the purpose of providing financial assistance to the Tri Township Fire Department in the operation of a fire department from those receiving direct benefits from emergency services.

**2. Charges:**

The following charge shall hereafter be due and payable to the Tri Township Fire Department from recipients of the following services from the said Fire Department:

Removal from fire apparatus and use of the "Jaws of Life" relating to extrications from motor vehicles at accident scenes at the rate of \$800.00 per motor vehicle.

**3. Time for Payment and Collection of Charges:**

The charges shall be due and payable within 30 days from the date the service is rendered. That in default of payment, the amount due and payable shall be collectible through proceedings in District Court or other Court of competent jurisdiction as an account payable.

**4. Exempt Services from the foregoing charges:**

Services performed outside the jurisdiction of the fire department under a mutual aid contract with an adjoining municipality shall be exempt from the foregoing charges.

**5. Non-Exclusive Charge:**

The foregoing rate and charge shall not be exclusive of the charges that may be made by the townships for the costs and expenses of maintaining a fire department, but shall only be supplemental thereto. Charges may additionally be collected by the townships 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.

**6. Severability:**

Should any provision or part of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, such invalidity shall not effect the validity of enforceability of the balance of this ordinance which shall remain in full force an effect.

**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 so benefited where property protection is not involved shall be liable for the payment of the full charge for such service herein before outlined. The interpretation and application of the within section is hereby delegated to the fire chief subject only to appeal, within the time limits for payment, to the Tri-Township Fire Board and shall be administered so that charges shall only be collected from the recipients of the service.

**8. Effective Date:**

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

\_\_\_\_\_  
By: John W. Zollars  
Briley Township Supervisor

Date: \_\_\_\_\_

\_\_\_\_\_  
By: Thomas Seymour  
Avery Township Supervisor

Date: \_\_\_\_\_

\_\_\_\_\_  
By: Beau Williams  
Loud Township Supervisor

Date: \_\_\_\_\_

I. Purpose:

The within ordinance is adopted for the purpose of providing financial assistance to the Tri Township Fire Department in the operation of a fire department from those receiving direct benefits from emergency services.

This has to be Voted On and Placed in the paper for April 4 2012