

VILLAGE OF MAYBEE
MONROE COUNTY, MICHIGAN
ORDINANCE NO. 2006-005
MAYBEE VILLAGE FIRE CHARGES ORDINANCE
LONDON MAYBEE RAISINVILLE FIRE DEPARTMENT

An Ordinance to establish charges for fire department services under Michigan Public Act 33 of 1951, as amended (Compiled Law 41.801 et. seq) and to provide methods for the collection of such charges and exemptions therefrom.

THE VILLAGE OF MAYBEE, MONROE COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose.

The within ordinance is adopted for the purpose of providing financial assistance to the Village for 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 delivered to all property owners within the Village from the existence of a village fire department and its availability to extinguish fires within the Village and perform other emergency services.

Section 2. Charges.

The Village shall charge the property owner of record or recipient of fire department services. Runs include, but not limited to the following enumerated services:

Grass fire, rubbish fire, automobile fire, house and structure fire, fire in a commercial establishment, fire in a multiple family building, hotel or motel fire, aircraft fire, train fire, truck fire, forest fire, public safety incident, environmental hazards, other services not specifically enumerated.

Itemized costs for special materials, personal, and equipment to respond to a particular incident may be billed separately.

The Village Council shall establish a cost recovery schedule by resolution as amended from time to time.

Section 3. Time For Payment of Charges.

All of the foregoing charges shall be due and payable within 30 days from the date the service is billed.

The Village of Maybee shall bill the cost of any fire and/or emergency run to the person benefiting from the fire and/or emergency run in the Village of Maybee. Any billings or efforts of collections shall be the responsibility of the Village of Maybee.

Section 4. 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 village buildings, grounds and/or property
- (D) Fire service performed outside the jurisdiction of the Village of Maybee under a mutual aid contract with adjoining municipality

Section 5. Collection of Charges.

The Village 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 6. Non-Exclusive Charge.

The foregoing rates and charges shall not be exclusive of the charges that may be made by the Village for the costs and expenses of maintaining a fire department, but shall only be supplemental thereto. Charges may additionally be collected by the Village through general taxation after a vote of the electorate approving the same or by a special assessment established under the Michigan statues 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 fire department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property 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 Village Board and shall be administered so that charges shall only be collected from the recipients of the service.

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.

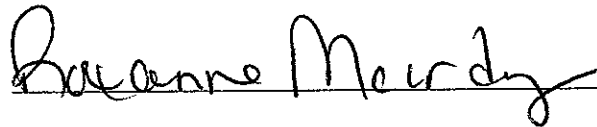
Section 9. Effective Date.

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

I, Roxanne McCurdy, Clerk of the Village of Maybee, do hereby certify that the above Ordinance was approved and adopted by the Village Council at the regular meeting thereof, held on the 13th day of September, 2006, at 7:30 p.m. Eastern Standard Time, the vote thereon being as follows:

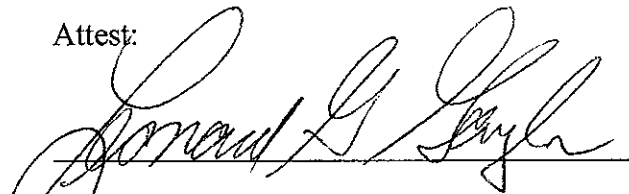
In favor of the Ordinance (6)

Against the Ordinance (0)



Clerk, Village of Maybee

Attest:



President, Village of Maybee