

**THE VILLAGE OF MAYBEE
FIRE CHARGES ORDINANCE
LONDON MAYBEE RAISINVILLE FIRE DEPARTMENT
Ordinance No. 2018-001A; Adopted April 11, 2018**

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 Public Act 246 of 1945 (Compiled Law 41.181 et seq) and to provide methods for the collection of such charges and exemptions therefrom.

This Ordinance is adopted for the purpose of providing financial assistance to the Village in the operation of the London Maybee Raisinville Fire Department (LMR or Fire Department) from those receiving direct benefits from the fire protection services. It is the further purpose of this Ordinance to provide for funding of Fire Department operations which remains, in part, an at large governmental expense based upon the general benefits derived by all property owners 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. Services include, but are not limited to the following:

- Grass fire
- Rubbish fire
- Automobile fire
- House and structure fires
- Fire in a commercial establishment
- Fire in an industrial or manufacturing establishment
- Fire in multiple family building
- Hotel or motel fire
- Aircraft fire
- Train fire
- Truck fire
- Forest fire
- Public safety incident
- Environmental hazards
- PI Incidents (Personal Injury Accidents) to out of area residence
- PDA (Property Damage Accidents) to out of area residence
- Rail Accidents
- Marine/Boating Incidents
- Water Rescues
- Wire down (after reasonable response time is allowed)
- Any additional request for service by the Fire Department deemed reimbursable by the Fire Chief

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

The Village Board may by resolution establish the amount of the charges for services, which may be amended from time to time but in no event more than once in any 12 month period.

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 billed.

The Fire Department 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. A copy of such billing shall be sent to the Village of Maybee Clerk.

The Fire Department shall be responsible for sending only the first billing; any further billings or efforts of collection 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 (unless intentional or in the case of repeat offenses)
- 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 an adjoining municipality.

Section 5. Collection of Charges.

The Village may proceed with a court action 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 statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses in the discretion of the Village Board.

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 to benefited where property protection is not involved, shall be liable for the payment of the full charge for such service herein before outlined. It is acknowledged and recognized that there are circumstances in which the party responsible for the need for services may not be the party receiving the services. The interpretation and application of this section is hereby delegated to the LMR Fire Chief subject to appeal to the Village Board by the party to who the charges were assessed, within the time limit for payment of the charges.

Section 8. Severability.

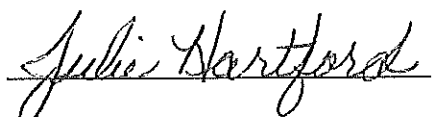
Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

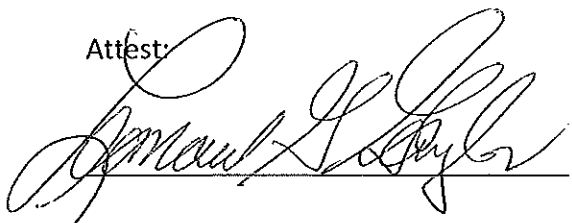
Section 9. Effective Date.

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

I, Julie Hartford, 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 11th day of April, 2018 at 7:30 pm Eastern Standard Time, the vote thereon being as follows:

In favor of the Ordinance	<u>6</u>
Against the Ordinance	<u>0</u>


 Julie Hartford
 Clerk, Village of Maybee

Attest:

 Leonard G Gaylor
 President, Village of Maybee

**LONDON MAYBEE RAISINVILLE
FIRE DEPARTMENT
COST RECOVERY FEE SCHEDULE**

Manpower: Payroll: Per firefighter at prevailing wage rate x 100%

Vehicles:

		<u>Agency:</u>	<u>Ordinance #:</u>	<u>Adopted:</u>
Engine – 1	\$350.00 per call			
Engine – 2	\$350.00 per call			
Tanker - 1	\$250.00 per call	London	40-96	10/17/1997
Rescue – 1	\$200.00 per call	Maybee	2006-005	09/13/1996
Rescue – 2	\$200.00 per call	Raisinville	63	11/06/1996
Gator – 1	\$150.00 per call			
Brush Truck–1	\$200.00 per call			

Electric/Gas Power Equipment:

JAW's:	\$50.00 per use
Ventilation Fans:	\$25.00 per use
Chain Saws:	\$25.00 per use
Ventilation Saws:	\$25.00 per use
Saws all:	\$25.00 per use

Miscellaneous Equipment:

Fire Fighting Foam:	Cost to be determined based on replacement cost at time of use
No More Vapor:	Cost to be determined based on replacement cost at time of use
Medical Equipment:	Cost to be determined based on replacement cost at time of use
Diesel Fuel/Gasoline:	Cost to be determined based on replacement cost at time of use
Oil Absorbent:	Cost to be determined based on replacement cost at time of use

Fee schedule adopted: 11/17/2003
 Amended: 03/16/2009
 Amended: 04/11/2018
 Amended: 10/10/2018

I, Julie Hartford, clerk of the Village of Maybee, do hereby certify that the above Amendment was approved and adopted by the Village Council at the regular meeting, thereof, held on the 10th day of October, 2018 at 7:30 pm Eastern Standard Time, the vote thereon being as follows:

In favor of the Ordinance 5 Against the Ordinance


 Julie Hartford Clerk, Village of Maybee

Attest: 
 Leonard G. Gaylor President, Village of Maybee