

AS APPROVED ON SECOND READING 1-18-2010

STATE OF MICHIGAN
COUNTY OF WASHTENAW
ARBOR CHARTER TOWNSHIP
ORDINANCE NO. 1 - 2010

**ANN ARBOR CHARTER TOWNSHIP AMENDMENT TO
CODE SECTION 30-63 ADDING CHARGES FOR FIRE DEPARTMENT SERVICES
January 18, 2010**

ARTICLE II. FIRE DEPARTMENT

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DIVISION 2. CHARGES FOR SERVICES

Sec. 30-61. Purpose of division.

This division is adopted to establish charges for certain Fire Department services and collection of such charges.

(Ord. No. 2-98, § 1, 8-16-1998)

Sec. 30-62. Fees for false alarms.

Whenever the Fire Department responds to two or more false alarms within a 12-month period, the alarm system user shall pay fees assessed for false alarms as designated in this division.

(Ord. No. 3-93, § 3, 8-16-1993)

Cross references: Emergency services, ch. 22.

Sec. 30-63. Charge for services or incidents. **(ADDITIONS IN BOLD)**

Any recipient of Fire Department services or any person involved in the incidents listed in subsections (1) through **(6)** of this section shall pay charges for such services in accordance with section 30-66.

(1) Medical first response, technical rescue, extrication, or other Fire Department services provided for any accident or fire involving or related to any motor vehicle, trailer, aircraft, boat, snowmobile, watercraft or other vehicle owned or operated by a nonresident of the Township.

(2) Fire department response to any fire which could be set with a permit but for which a permit has not been obtained.

(3) Fire department response to any fire which could be set with a permit but which becomes uncontrolled regardless whether a permit was obtained.

(4) Medical first response, technical rescue, extrication or other Fire Department services provided to any nonresident of the Township within the public areas of the Township such as golf courses, rivers, parks, **roads or highways.**

(5) Fire department response to an illegal fire such as burning tires or processed lumber or other fires contrary to this Chapter or other laws or ordinances, with charges payable by the person or persons causing or responsible for such illegal fire.

(6) Fire department response to an activity, event or incident in violation of applicable laws, ordinances or regulations, such as illegal use of fireworks, malicious destruction of property or other illegal activity, event or incident, with the charges payable by the person or persons causing or responsible for such illegal activity, event or incident.

(Ord. No. 2-98, § 2, 8-16-1998)

Sec. 30-64. Payment for services.

The Township Treasurer in consultation with the Township Supervisor and Fire Chief shall prepare an invoice for the Fire Department services described in section 30-63 in the amounts described in section 30-66, for delivery by first class mail to the person receiving the Fire Department services described in section 30-63, or to the person initiating or originating any fire described in subsection 30-63(2) or 30-63(3). The invoice shall be due and payable within 30 days of the date of mailing. The Township shall charge a late fee of one percent per month for each month the invoice remains unpaid.

(Ord. No. 2-98, § 3, 8-16-1998)

Sec. 30-65. Collection for charges.

The Township may pursue any remedy or institute any appropriate action or proceeding in a court of competent jurisdiction to collect charges imposed by this division. When a particular service is provided to more than one person or property, each person benefited and each property owner benefited shall be jointly and severally responsible for payment of the full charge for the service rendered.

(Ord. No. 2-98, § 4, 8-16-1998)

Sec. 30-66. Charges imposed.

(a) Any recipient of the services described in section 30-63 shall be responsible for payment of all costs or expenses incurred by the Township in providing such services, including but not limited to:

(1) Costs or expenses incurred by the Township Fire Department and other public officials or body, including all actual out-of-pocket expenses attributable to the services, costs of equipment, operations and personnel, costs of materials used and other incidental costs incurred by the Township as a result of the services;

(2) Other expenses incurred by the Township or its agents in providing the services, including equipment, labor, consultants, legal and engineering fees, the replacement costs of extinguishing agents, and supplies; and

- (3) Costs incurred in accounting for the services rendered, including billing and collecting costs and attorneys fees, including the costs of dispatch services.
- (b) Specific charges for certain of these services shall be as established by resolution. (Ord. No. 2-98, § 5, 8-16-1998)

ORDINANCE DECLARED ADOPTED.

CERTIFICATION:

It is hereby certified that the foregoing Ordinance was adopted by the Township Board of Ann Arbor Charter Township, Washtenaw County, Michigan at a meeting of the board duly called and held on January 18, 2010.

ANN ARBOR CHARTER TOWNSHIP

By: _____
Michael C. Moran, Supervisor

By: _____
Rena Basch, Clerk

First Reading: December 21, 2009
Second Reading: January 18, 2010

Effective: January 28, 2010 (upon publication)