

LINCOLN TOWNSHIP

CLARE COUNTY

P.O. BOX 239
175 LAKE GEORGE AVE.
LAKE GEORGE, MI 48633
989-588-9841

ORDINANCE NO. 33

An ordinance to establish charges for fire department and other emergency services under Public Act 33 of 1951, as amended, (MCL 41.801, et seq.) and to provide methods for the collection of such charges and exemptions therefrom.

THE TOWNSHIP OF LINCOLN, CLARE COUNTY, MICHIGAN, ORDAINS:

Section 1: Purpose

This ordinance is adopted for the purpose of providing financial assistance to the Township in the operation of the Lincoln Township Fire Department from those receiving direct benefits from the fire protection and medical first responder services.

Section 2: Charges for services

The Lincoln Township Fire Department shall charge, except as hereinafter noted and excluded, for each occasion of emergency fire protection provided by the Lincoln Township Fire Department and for each occasion of emergency medical first responder services as provided by the Lincoln Township Fire Department, as follows:

- A. A charge of \$500.00 per emergency fire protection services (fire run) shall be made to the property owner receiving the emergency fire protection.
- B. A charge of \$500.00 shall be made to individuals receiving the services of the emergency medical first responder for personal injury accidents involving vehicles, off road vehicles, recreational vehicles, watercraft and farming implements.
- C. A charge of \$200.00 shall be made to individuals receiving medical emergency services.
- D. A charge of \$200.00 *per hour* shall be made for a utility or power line incident.
- E. A charge of \$200.00 *per hour* shall be made for an incident involving an aircraft.
- F. A charge of \$200.00 *per hour* shall be made for vehicular accidents involving commercial vehicles.
- G. A charge of \$200.00 for other services not specifically enumerated.

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 the district court or in any court of competent jurisdiction as a matured debt.

Section 4: Exemptions

The following individuals, properties and services shall be exempt from the foregoing charges:

- A. False alarms
- B. Fire involving Township buildings, grounds and/or property
- C. No charge shall be made, pursuant to this statute, to any property owner or resident of Lincoln Township, Clare County, Michigan, receiving direct benefits from the Lincoln Township Fire Department and Rescue Service. For the purpose of this ordinance a property owner shall be defined as any person having legal or equitable title in property situated in Lincoln Township, Clare County, Michigan, pursuant to the records of the respective County Register of Deeds. For the purpose of this ordinance a resident shall be deemed to a person actually residing in Lincoln Township, Clare County, Michigan.

Section 5: Collection of Charges

The Township 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 Charges

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 the Michigan statutes pertinent thereto.

Section 7: Multiple Property Protection

When a particular service rendered by the Lincoln 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 hereinbefore outlined. The interpretation and application of the within section is hereby delegated to the Township Fire Chief subject only to appeal, within the time limits for payment, to the Lincoln Township 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 on the 1st day of May 2006.

I, Carol L. Majewski, certify that the foregoing ordinance was adopted by the Lincoln Township Board of Trustees at the regular monthly meeting held on the 10th day of April, 2006, and that the votes thereon were as follows:

Supervisor Ringley - yes, Clerk Majewski - yes Treasurer, West - yes, Trustee Branam - yes,

Trustee Galloway- yes

Carol L. Majewski
Lincoln Township Clerk