

## **CITY OF GRAYLING FIRE CHARGE ORDINANCE**

An ordinance to establish charges for fire department services under Public Act 33 of 1951, as amended (Compiled Law 41.801, etc.) and to provide methods for the collection of such charges and exemptions there from.

THE CITY OF GRAYLING, CRAWFORD COUNTY MICHIGAN ORDAINS:

### **Section 1: Purpose**

The within ordinance is adopted for the purpose of financial assistance to the city in 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 supplement funding of the fire department operation which remains, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the city from the existence of a fire department and its availability to extinguish fires within the city and perform other emergency services.

### **Section 2: Charges**

The charges shall be due and payable to the city from a recipient of any of the following enumerated services from the Grayling Fire Department. All revenues shall be credited to the Fire Department Fund.

**See Fee Schedule which may be amended by the Council from time to time.**

### **Section 3: Time for Payment for Run**

All charges shall be due and payable within 30 days from the date of billing. Default of payment shall be collectible through proceedings in district court or in any court of competent jurisdiction as a matured debt.

### **Section 4: Exemptions**

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

- A. The first two false alarms in any 12 month period.
- B. Fires caused by railroad trains, which are the specific statutory responsibility of railroad companies.
- C. Fire involving city buildings, grounds, and/or property.
- D. Fire service performed outside the jurisdiction of the City under a mutual aid contract with an adjoining municipality.

### **Section 5: Collection of Charges**

The city 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 city for costs and expenses of maintaining a fire department, but shall only be

supplemental thereto. Charges may additionally be collected by the city 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.

**Section 7: Multiple Property Protection**

When a particular service rendered by the Grayling 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 fire chief subject only to appeal, within the time limits for payment, to the City Council 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 immediately. All ordinances or parts of ordinances in conflict herewith are hereby repealed.