

CITY OF CRYSTAL FALLS  
ORDINANCE NO.1.11  
(Amended)

AN ORDINANCE TO ESTABLISH CHARGES FOR CRYSTAL FALLS FIRE DEPARTMENT SERVICES AND TO PROVIDE METHODS FOR THE COLLECTION OF SUCH CHARGES AND EXEMPTIONS THEREFROM.

THE CITY OF CRYSTAL FALLS, IRON COUNTY, MICHIGAN ORDAINS:

Section 1- Purpose

The within ordinance is adopted for the purpose of providing financial assistance to the Township of Crystal Falls in the operation of the Crystal Falls fire department from those receiving direct benefits from the fire protection service; to provide for full funding of the Crystal Falls 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 the Crystal Falls fire department and its availability to extinguish fires within the city and perform other emergency services.

Section 2- Charges

The following minimum charges shall hereafter be due and payable to the Crystal Falls Fire Department from a recipient of any fire protection services from the Crystal Falls fire department:

1. Minimum response fee of \$250.00 within the City of Crystal Falls.

In the event the actual costs incurred by the Crystal Falls Fire Department exceed the foregoing minimum charges, then the additional actual costs incurred by Crystal Falls Fire Department for fire protection services shall be billed to the user of such services. All billings shall be sent by the Crystal Falls Fire Department Chief within ten (10) days of the event that required the supplying of fire protection services.

The foregoing minimum charges may be modified by resolution of the City Council, provided such resolution becomes effective not less than ten (10) days after such resolution is adopted.

Section 3- Time for Payment

All 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 a court of competent jurisdiction as a matured debt.

Section 4 – Exemptions

All the following properties and services shall be exempt form the foregoing charges:

1. False alarms.
2. Fires caused by railroad trains which are the specific statutory responsibility of railroad companies.
3. Fire involving City buildings, grounds and/or property.

Section 5 – Collection of Charges

The Fire Chief for the Crystal Falls Fire Department shall proceed in court by civil suit to collect any monies remaining unpaid, may obtain recovery of all costs incurred in such proceedings, including, but not limited to, actual attorney fees incurred by the Crystal Falls Fire Department together with all other remedies provided for 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 charged by the city for the costs and expenses of maintaining the Crystal Falls fire department, but shall only be supplemental thereto. Charges may additionally be collected by the city through general taxation 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 Crystal Falls fire department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where the 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 Crystal Falls fire chief subject only to appeal, within the time limits for payment, to the Township of Crystal Falls 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 this ordinance be declared by a 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 adoption. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Introduced: October 11, 2010

Adopted: November 8, 2010

Effective: November 8, 2010