

02-96

Clerk
08-13-96

VILLAGE OF CAMDEN
CAMDEN, MICHIGAN

AN ORDINANCE TO ESTABLISH CHARGES FOR FIRE AND/OR EMERGENCY
SERVICES NOT COVERED UNDER TOWNSHIP CONTRACTS

ADOPTED: AUG. 13, 1996

EFFECTIVE: AUG. 13, 1996

THE VILLAGE OF CAMDEN
CAMDEN, MICHIGAN

SECTION I

PURPOSE

The within ordinance is adopted for the purpose of providing financial assistance to the Village for providing fire protection services and/or other emergency services from those receiving direct benefits from the service available.

SECTION II

Any person, agency, firm or entity who receives fire and /or emergency services provided for or financed by the Village shall be liable to the Village for the full and actual costs to the Village for providing such services including labor, equipment and material. The Village Council is hereby authorized to establish by motion/resolution a cost schedule for such services and change said schedule from time to time at the discretion of the Village Council.

Any person, agency, firm, or entity that intentionally or accidentally causes an incident involving Hazardous Chemicals and Materials, or a HAZMAT/TOXIC Materials situation requiring the services of the Fire Department may be charged for the cost of the service. Such costs may include, but are not limited to, incident abatement, mitigation, clean-up, mutual aid, and standby of the scene or incident. The decision to require reimbursement of the cost shall be made by the Village of Camden, based upon recommendation of the Fire Chief, and/or the commanding officer of the incident. Such cost will be based upon a RATE SCHEDULE or at the current rate of equipment and operation of fire apparatus or fire equipment as set by motion/resolution from time to time by the Village Council.

SECTION III

COLLECTION AND TIME FOR PAYMENT FOR SERVICES RENDERED

It shall be the responsibility of the Village Clerk or the Clerk's designated deputy to send a bill to the responsible party(s) by first class mail.

All of the foregoing charges shall be due and payable within 45 days from the date service is rendered and in default of payment shall be collectable through proceeding in district court or in any other court of competent jurisdiction as a matured debt.

The Village may pursue any other remedies provided by law for collection.

SECTION IV

EXEMPTIONS

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

- A. All municipally owned properties
- B. False alarms
- C. Property owned by the United States, the State of Michigan or a subdivision of the state to the extent such property is exempt by state or federal statute from such fees.

SECTION V

NON-EXCLUSIVE CHARGE

The foregoing rates and charges shall 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.

SECTION VI

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 VII

PERSONNEL, EQUIPMENT, SUPPLEMENTARY COSTS

For purposes of incidents involving hazardous chemicals or HAZMAT/toxic materials, the following costs shall be considered:

- A. Personnel Costs. The cost per fire fighter to be assessed by the Fire Department and will be based upon the current pay scale. A factor of 25% of the cost may be added to cover any administrative costs.
- B. Equipment Costs. The total cost of all equipment and their operation cost will be set by a rate schedule to be determined by the Village Council by resolution from time to time.
- C. Supplementary Costs. Any additional equipment, manpower, suppression agents, technical services, etc. for which there are chargeable expenses, shall be charged to the person, agency, firm, or entity responsible for the incident.

SECTION VIII

APPEAL

For any dispute arising from charges involving hazardous chemicals or HAZMAT/toxic materials, any person, agency, firm, or entity shall appeal within 30 days following the date of the incident. Such appeals shall be made to the Camden Village Council.

SECTION IX

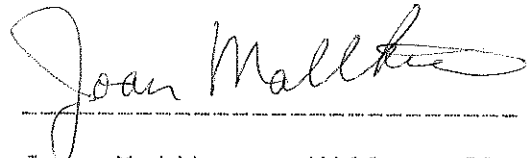
EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

RATE SCHEDULE EFFECTIVE AUGUST 13, 1996

| <u>APPARATUS/EQUIPMENT</u> | <u>COST</u> |
|----------------------------|-------------|
| Pumper | \$300.00 |
| Tanker | \$200.00 |
| Jaws of Life | \$100.00 |

VILLAGE OF CAMDEN



Joan Matthews, Village Clerk