

**FREEMAN TOWNSHIP FIRE AND RESCUE ORDINANCE NO. 25**

**Freeman Township, Clare County Michigan ordains:**

**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 FREEMAN, 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 on the behest of Freeman Township, 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:**

**All charges will be determined by the Freeman Township Fire and Rescue contractual agreement with Lincoln Township. If a situation occurs that is not covered under the Freeman Township Fire and Rescue contractual agreement with Lincoln Township than the charges for said situation will be determined by Lincoln Township and in agreement with the Freeman Township Board.**

**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 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**

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- C. No charge shall be made, pursuant to this statute, to any property owner or resident of Freeman 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 Freeman 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 defined to be a person actually residing in Freeman Township, Clare County, Michigan.**

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

**It will be the responsibility of Lincoln Township for any and all costs associated with the collection all charges, and the pursuance of collecting said charges, levied by Lincoln Township on the behest of Freeman Township in accordance with Section 2 of this ordinance. Lincoln 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 Lincoln Township Fire Chief subject only to appeal, within the time limits for payment, to the Freeman Township Board and shall be administered so that charges shall only be collected from the recipients of the service.**

### **Section 8: Severability**

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**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 becomes effective thirty (30) days after newspaper publication.**

**Newspaper publication date: \_\_\_\_\_**

**Effective Date: \_\_\_\_\_**

**Adopted by the Freeman Township Board: \_\_\_\_\_**

**Al Housler, Freeman Township Supervisor, Clare County, Michigan**

\_\_\_\_\_, Date \_\_\_\_\_

**Patricia Humphrey, Freeman Township Clerk, Clare County, Michigan**

\_\_\_\_\_, Date \_\_\_\_\_