

**Henrietta Township
Fire and Rescue Charges
Ordinance #36**

Adopted March 14, 2001
Effective March 14, 2001

AN ORDINANCE TO ESTABLISH FIRE AND RESCUE SERVICE CHARGES FOR NON-RESIDENTS OF THE TOWNSHIP FOR FIRE PROTECTION AND RESCUE SERVICE UNDER PUBLIC ACT NUMBER 50 OF 1960, AS AMENDED, AND PUBLIC ACT NUMBER 33 OF 1951, AS AMENDED; TO PROTECT THE HEALTH, SAFETY AND WELFARE OF TOWNSHIP INHABITANTS.

At a Regular meeting of the Township of Henrietta Board held on March 14, 2001 the following Ordinance was heard and passed:

The Township of Henrietta, Jackson County, Michigan ordains:

ARTICLE I. NAME

This Ordinance shall be known and cited as the Henrietta Township Fire and Rescue Services Charges Ordinance.

ARTICLE II. PURPOSE

This Ordinance is adopted to provide financial assistance to the township from those who are not residents of the township and therefore do not support township services with their taxes in the furnishing of fire protection services and rescue services to those who receive direct benefits from said services; to provide for full funding of fire protection services and rescue services which remain in large part at large government expenses based on the general benefits derived by citizens from the availability of said service.

ARTICLE III. CHARGES

Charges shall be made by the township for fire protection services or rescue services provided to a person who is not a Henrietta Township resident or property owner, except that no charges shall be made for services provided to an invitee, guest or employee of said resident or property owner of Henrietta Township. Charges shall be established pursuant to a schedule adopted by resolution of the Township Board, and may be changed from time to time by appropriate resolution of the Township Board. Charges shall be reasonable based on the actual cost of providing the service involved, including the

township's costs, current expenses, accrued fund charges, and the cost of administering the Ordinance.

ARTICLE IV. EXEMPTIONS

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

- A. Fires involving Township buildings, grounds, and/or property.
- B. Fire service performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality.

ARTICLE V. TIME FOR PAYMENT

All charges made pursuant to this Ordinance shall be due and payable from the date of billing for the service rendered and in default of payment shall be collectible through proceedings in the 12th District court, Jackson County, Michigan, or any other court of competent jurisdiction as a mature debt, including actual attorney fees and costs of collection. Unpaid charges shall bear interest at the rate of twelve (12%) percent per annum beginning thirty (30) days after the date of the invoice and continuing until payment is made.

ARTICLE VI. SEVERABILITY

Should any provision or part of this Ordinance be declared void or unenforceable by a court of competent jurisdiction, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

ARTICLE VII. RIGHT OF APPEAL

The Township Board shall have the right to review all charges made to assessed parties for services rendered upon timely application made and determine whether to increase minimum charges, abate fixed charges or to waive charges totally, based upon the facts of any specific claim as it shall appear.

ARTICLE VII. EFFECTIVE DATE

This Ordinance shall take effect on March 14, 2001. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Larry Bamm, Supervisor
Sally J. Keene, Clerk