

TOWNSHIP OF EAGLE
CLINTON COUNTY, MICHIGAN
ORDINANCE NUMBER 2-04

EMS Charge Ordinance

An ordinance to establish charges for fire protection, emergency services, and ambulance services within Eagle Township, Clinton County, Michigan; to establish methods for collection of charges; establish parameters for exemptions to these charges; and to repeal all ordinances or parts of ordinances in conflict therewith.

Section I: Title

This ordinance shall be known and cited as the “Eagle Township EMS Charge Ordinance”.

Section II: Purpose and Intent

The purpose of this ordinance is to provide a means of supplemental financial assistance to the Township in providing fire protection, emergency services and ambulance services within the Township from those receiving direct benefit from these services.

Section III: Charges

1. Charges for fire protection and emergency services (including but not limited to medical and ambulance services) provided by the Looking Glass Regional Fire Authority, or any other agent acting on behalf of the Township of Eagle (either via contract or mutual aid agreement) shall be payable to the Township of Eagle in amounts as established by resolution of the Eagle Township Board.
2. Charges for fire protection and emergency services (including but not limited to medical and ambulance services) shall apply to all runs within the Township, except as otherwise provided.
3. Charges shall be due and payable by the owner or owners of the property benefited, the recipient or recipients of the services rendered and other persons or property owners as hereinafter enumerated.
4. Where the owner of the property benefited and the recipient of the services rendered are not the same, such charges shall be due jointly and severally.

Section IV: Time and Payment

Charges shall be due and payable within 30 days of written notice from the Township, or its agent.

Section V: Method of Collection

The township, or its agent, 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 VI: Exemptions

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

1. Fires caused by railroad trains, which are the specific statutory responsibility of railroad companies.
2. Fire involving township buildings, grounds and/or property.
3. Fire services performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality.

Section VII: Non-Exclusive Charge

The rates and charges as established by this ordinance, and subsequent resolutions, 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 statues pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses.

Section VIII: Multiple Property Protection

Where a particular service rendered 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.

Section IX: Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section X: Repeal

All previous ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, including but not limited to Eagle Township ordinance number 1-91.

Section XI: Effective Date

This ordinance shall take effect immediately after publication following its adoption.

Section XII: Publication

This ordinance is ordered to be given publication in the manner prescribed by law.

Section XIII: Adoption and Certification

This ordinance is hereby declared to be adopted by the Township Board of the Township of Eagle, Clinton County, Michigan, at a regular meeting held on June 7, 2004. All ordinances, or parts of ordinances, in conflict with any of the provisions of this ordinance, are hereby repealed.

Moved by Clerk Simmons and supported by Treasurer Schafer that the foregoing ordinance be adopted.

A vote on the foregoing ordinance was as follows:

Aye: Colby, Schafer, Simmons, Hazen and Morris
Nay: None

Wendy K. Simmons, Clerk

CERTIFICATION

I, Wendy K. Simmons, Clerk of the Township of Eagle, do hereby certify that the foregoing is a true and accurate copy of the EMS Charge Ordinance 2-04 adopted by the Township of Eagle on the June 7, 2004.

Wendy K. Simmons, Clerk