



Sandstone Charter Township

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Ordinance No. 2022-1

FIRE AND RESCUE CHARGES ORDINANCE

**CHARTER TOWNSHIP OF SANDSTONE
JACKSON COUNTY**

An Ordinance to establish fire and rescue service charges for fire protection and rescue services under Public Act. 50 of 1960, as amended and Public Act No. 33 of 1951, as amended; to establish the procedure for recovery of cost incurred by the Parma-Sandstone Fire Department for incidents that occur in Sandstone Charter Township; and to protect the health, safety and welfare of Township residents.

THE CHARTER TOWNSHIP OF SANDSTONE ORDAINS:

Section 1 Name

This ordinance shall be known and cited as the Sandstone Charter Township Fire and Rescue Service Charges Ordinance.

Section 2 Purpose

1. This ordinance is adopted to provide financial assistance to Sandstone Charter Township taxpayers who support the furnishing of fire protection and rescue services with their taxes, from those persons or companies who are not residents of Sandstone Charter Township that receive direct benefits from said services.
2. This ordinance allows charge back to taxpayers within Sandstone Charter Township for services rendered for nuisance fires, reoccurring fire alarms, hazardous material incidents and other incidents that violate Local, State and/or Federal Law.
3. This ordinance shall allow for the request for reimbursement for costs incurred for responses for utility company emergencies that require

extended wait times to include electrical, gas and other utilities.

Section 3 Charges

1. Residents/taxpayers of the township may be responsible for cost of services rendered by the Parma-Sandstone Fire Department if any of the following condition occurs at an incident. This shall include charges per apparatus that responded, payroll of firefighters that responded, cost of requested mutual aid Departments and specialized equipment owned by the Fire Department(s) or requested from an outside source.
 - a. Burning of any structure occupied or not for the purpose of demolition, arson (with or without criminal intent), that violates any Local, State and/or Federal law.
 - b. Burning of rubbish and debris as a deliberate act that violates any Local, State and/or Federal Law.
 - c. The willful wanton act of burning that creates a large nuisance, reoccurring situation, threatening situation to others or their property and incidents that damage property.
 - d. Hazardous material incidents within the Township where mitigating the incident involves any of the following:
 - A time period of over one hour
 - Outside resources
 - Violation of any Local, State and/or Federal Law
 - Specialized equipment or personnel are needed
2. Charges shall be made by the Parma-Sandstone Fire Department or other designee for fire and rescue services provided to persons who are not residents/taxpayers of Sandstone Charter Township or Parma Township.

Exception: No charges will be levied for responses to property owned by a taxpayer of Sandstone Charter Township for services provided to an invitee or guest of said property owner.

3. Charges shall be reasonably based on the actual cost of providing the service involved and that which is usual, customary and reasonable (UCR). A schedule of charges will be reviewed annually at the regular meeting in January by the Parma-Sandstone Fire Board.

4. Charges shall be collected by filing a claim by the Parma-Sandstone Fire Department or other designee to the responsible party(s) insurance carrier. In the absence of insurance coverage or denial of payment, the responsible party(s) may be direct billed for costs incurred, up to the use of collections or legal action as referenced in Section 4, Part 2 below.

Section 4 Terms of Payment

1. All charges made pursuant to this ordinance shall be due and payable within (30) days of the date of billing.
2. Failure to pay within the prescribed time period shall be deemed a default of payment and shall be collectible through proceedings in the 12th District Court, Jackson County, Michigan or any other court of competent jurisdiction as a matured debt, including actual reasonable attorney fees and the costs of collection.
3. Unpaid charges shall bear interest at the rate of twelve percent (12%) per annum beginning thirty (30) days after the date of the invoice until payment is made.

Section 5 Severability

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

Section 6 Publication and Effective Date

This ordinance shall take effect (30) days from publication.

Section 7 Repeal of Conflicting Provisions

All other Township ordinances, Township Board resolutions, and parts thereof that conflict with provisions of this Ordinance are hereby repealed and shall be of no further force or effect.

Section 8 Publication

This ordinance shall be published as required by law in the County Press, a newspaper of general circulation in Sandstone Charter Township qualified under

State Law to publish legal notices, within 30 days of its adoption.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED ON _____, 2022.

L. Keith Acker, Supervisor

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Kimberly Britten, the duly elected Clerk of the Sandstone Charter Township certify that the foregoing Ordinance is a true and correct copy of the Ordinance enacted by the Township Board of the Charter Township of Sandstone on _____, 2022 and published in the _____, a newspaper circulated in Sandstone Charter Township on _____, 2022.

Kimberly Britten, Clerk