

**Township of Burt**  
**Alger County, State of Michigan**  
**Burt Township Ordinance No. 2009-01**

Adopted: May 15, 2009

Effective: July 18, 2008

**Fire Fee Ordinance**

An ordinance to establish fees for fire department services under Michigan Public Act 33 of 1951, as amended (Compiled Law 41.801 etc.) and to provide methods for the collection of such fees and exemptions therefrom.

**The Township of Burt, Alger County, Michigan ordains:**

The within ordinance is adopted for the purpose of providing financial assistance to the township in the operation of a fire department from those receiving direct benefits from the fire protection service. It is the further purpose of the within ordinance to provide for supplemental/additional funding of the fire department operation which remains, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the township from the existence of a township fire department and its availability to extinguish fires within the township and perform other emergency services.

**Section 1: Fees**

The following services shall hereafter be due and payable to the township from a recipient of any of the following enumerated services from the township fire and rescue department in accordance with rates adopted by board resolution:

- |    |                               |    |   |
|----|-------------------------------|----|---|
| A. | Grass Fire                    | J. | Multi-Family Structure Fire                       |
| B. | Rubbish Fire                  | K. | Hotel, Motel or Church Fire                       |
| C. | Forest Fire                   | L. | Commercial Building Fire                          |
| D. | Automobile, RV or Camper Fire | M. | Industrial, Manufacturing or School Building Fire |
| E. | Truck Fire                    | N. | Emergency Rescue Extrication                      |
| F. | Aircraft Fire                 | O. | Water Sled Rescue                                 |
| G. | Train Fire                    | P. | HazMat Incidents                                  |
| H. | Boat Fire                     | Q. | Other Services not Specifically Enumerated        |
| I. | Residential Structure Fire    |    |   |

**Section 2: Costs**

The following costs shall hereafter be due and payable to the township from a recipient of any of the foregoing enumerated services from the township fire and rescue department in accordance with rates adopted by board resolution:

- Pumper Truck including 2 men
- Tanker Truck including 2 men
- Additional manpower per man per hour

**Section 3: Exemptions**

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

- A. False Alarms, unless it becomes habitual due to faulty equipment (i.e.: 2 or more per year).
- B. Any incident involving township buildings, grounds and/or property as well as government or state owned buildings.
- C. Fire service performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality.

**Section 4: Time Frame for Payment**

All of the foregoing fees shall be due and payable within 30 days from the date of billing and if default of payment shall be collectible through proceedings in district court or in any other court of competent jurisdiction as a matured debt.

**Section 5: Collection of Fees**

The 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 fees.

**Section 6: Non-Exclusive Revenue**

The foregoing rates and fees 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. The township through general taxation may additionally collect revenue 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 7: Multiple Property Protection**

When a particular service rendered by the 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 herein before outlined. The interpretation and application of the within section is hereby delegated to the township fire chief subject only to appeal, within the time limits for payment, to the township board and shall be administered so that charges shall only be collected from the recipients of the service. The Township (or Fire Department personnel), when preparing the statement for services rendered, will use the property owner’s name who appears of record on the tax rolls of the Township.

**Section 8: 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 effect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

**Section 9: Effective Date**

This ordinance shall be in full force and take effect in this governmental unit thirty (30) days after the date of publication as required by law following adoption by the township board. This ordinance shall supersede Ordinance No. 02-01, adopted on May 14, 2002 with an effective date of July 1, 2002.

STATE OF MICHIGAN            )  
COUNTY OF ALGER    )

I, Kay L. Wampler, Clerk of the Township of Burt, Alger County, Michigan, certify that the above is a true and correct copy of the ordinance which was adopted through unanimous vote by the Burt Township Board at a regular meeting held on May 15, 2009.

Signed:

Dated:

Kay L. Wampler, Clerk

May 20, 2009