

Adopted
9/17/02

**WHITEFORD TOWNSHIP ORDINANCE NO. 47
EMERGENCY SERVICE FEES ORDINANCE**

An Ordinance to establish setting fees for providing emergency services to non-residents.

This Ordinance was enacted pursuant to the authority granted on Act 246 of the Public Acts of 1945. It is to generally provide for and secure the public health, safety and general welfare of the persons and property of Whiteford Township. It is intended to repeal all ordinances and regulations, or parts thereof, in conflict hereof.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF WHITEFORD ORDAINS:

SECTION 1 - TITLE

This Ordinance shall be known as the Whiteford Township Emergency Service Fees Ordinance.

SECTION 2 - PURPOSE

The within Ordinance is to provide authority to levy charges and collect fees by the Whiteford Township Constables and/or Whiteford Township Fire Department, rendered to protect individuals, entities and their property, who are not Whiteford Township residents; and to provide for notification of said fees by resolution

Chargeable calls included in the Ordinance for both the Constables and/or Fire Departments are:

- Accidents involving aircraft, rail trains, trucks and/or other vehicles for the transportation of goods or people
- Vehicle fires (both accidental and arson)
- Marine/boat rescues
- Non-injury vehicle accidents
- PDA incident (property damage accident)
- PI accidents (personal injury)
- Recovery of stolen vehicles and properties
- Safety investigations
- Traffic obstructions caused by vehicles where Constables and/or the Fire Department provides traffic control
- Securing, control, and monitoring of any hazardous condition created by any disruption or damage of utility distribution property and equipment
- Extinguishment, control, and monitoring of any "out of control" and/or unauthorized fire
- Any other request for service within Whiteford Township by any other agency

SECTION 3 - ESTABLISHMENT OF FEES

Whiteford Township finds that any and all persons receiving emergency Constable and/or emergency or non-emergency Fire Department services for the protection of their persons or property, who are not residents of Whiteford Township at the time that said services are provided, shall remit the amount set forth in the Schedule of Fees attached hereto for each incident requiring services. Said funds are to be used to defray the costs of operating and housing equipment, labor, and supplies for such service by the Township Constables and Fire Departments.

SECTION 4 - FEES

Fees set forth in the Schedule of Fees attached hereto (Appendix A) may be modified from time to time by Resolution of the Township Board of Whiteford Township. The Schedule of Fees shall be available at the Office of the Township Clerk for inspection by the public during regular office hours.

SECTION 5 – BILLING

The expense of an emergency response shall be charged as a fee imposed upon the responsible party(s) and is collectible by the Township in the same manner as an obligation under contract, express or implied.

SECTION 6 - MULTIPLE PROTECTION OR AID

When a particular service rendered by the Township Constable(s) and/or Fire Department(s) directly benefits more than one non-resident person or entity, or their property, the owner of each property so benefited, and each person or entity so benefited, where property protection is not involved, shall be liable for the payment of the full charged fee for such service hereinabove outlined.

SECTION 7 – MUTUAL AID

When a particular service is rendered by a Fire Department of another governmental unit pursuant to a mutual aid agreement between Whiteford Township and some other unit of government, the charges authorized by this Ordinance shall equally apply to the equipment and personnel of other such governments.

SECTION 8 – COLLECTIONS

The Township of Whiteford may proceed in any Court of competent jurisdiction by suit to collect any monies remaining unpaid after thirty- (30) days of billing, and shall have any and all other remedies provided by law for the collection of said charged fees.

SECTION 9 - PUBLICATION

The Whiteford Township Clerk shall publish this Ordinance in the manner required by law, and a complete copy of the Ordinance shall be available at the office of the Township Clerk for inspection by the public at all times.

SECTION 10 - REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are to the extent of such conflict repealed.

SECTION 11 - SEVERABILITY

This Ordinance, and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance in each part, sentence, paragraph, section, subsection, phrase and clause thereof,

irrespective of the fact that either one or more parts, sentences, paragraphs, sections, phrases and clauses are declared invalid.

SECTION 12 - EFFECTIVE DATE

This Ordinance shall become effective after it, or a summary of it, has been published in a newspaper of general circulation in the Township of Whiteford.

THE TOWNSHIP BOARD OF THE
TOWNSHIP OF WHITEFORD, COUNTY
OF MONROE, STATE OF MICHIGAN:

By: _____
LeRoy M. Bunge
Whiteford Township Clerk

AUTHENTICATED:

Pamela Dressel
Whiteford Township Supervisor

I, LeRoy M. Bunge, do hereby certify that I am the duly elected and acting Township Clerk of the Township of Whiteford, and do hereby certify that this Ordinance was adopted by the Township Board of the Township of Whiteford, Monroe County, Michigan at a regular meeting of the Township Board held at the Whiteford Agricultural Middle School, Ottawa Lake, Michigan, on the ____ day of _____, 2002.

The vote on said Ordinance, ____ members being present and ____ members absent, was as follows:

Member's Last Name

Voting in Favor: _____

Voting Against: _____

Abstained: _____

Absent: _____

Dated: _____

LeRoy M. Bunge
Whiteford Township Clerk

ATTEST:

Pamela Dressel
Whiteford Township Supervisor

I, LeRoy M. Bunge, the Township Clerk of the Township of Whiteford, do hereby certify that this Ordinance or a summary of it, was published on the _____ day of _____, 2002, in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty- (30) days after adoption of the Ordinance.

Dated: _____

LeRoy M. Bunge
Whiteford Township Clerk

ATTEST:

Pamela Dressel
Whiteford Township Supervisor

ADOPTED: _____

PUBLISHED: _____

EFFECTIVE: _____

**CONSTABLE
AND
FIRE DEPARTMENT FEE SCHEDULE
APPENDIX A**

TYPE OF SERVICE

Constable Car	\$	60.00 per hour
Constable	\$	hourly rate + 100%
Pumper	\$	150.00 per event
Tanker	\$	150.00 per event
Rescue Squad	\$	100.00 per event
Mini/Brush	\$	100.00 per event
Heavy Rescue	\$	125.00 per event
Boat	\$	100.00 per event
Fire Fighter	\$	hourly rate + 100%