

## 197.000 - FIRE AND/OR MEDICAL SERVICES Ord. No. 98-001 Adopted: July 20, 1998

An Ordinance to provide for the collection of fees for the providing of fire and/or medical services for certain incidents within Atlas Township, providing for the fee structure, and providing for the means of contesting those fees, pursuant to the authority of MCL 41.806A, being PA 1990, No. 102, Sec. 1.

## THE TOWNSHIP OF ATLAS ORDAINS:

## 197.001 - Applicability.

## Sec. I.

- A. This Ordinance shall apply to all situations and circumstances where the Atlas Township Fire Department responds to a request for its professional assistance and causes the equipment and/or the personnel of the Fire Department to respond.
- B. Exempt from the provisions of this Ordinance are:
  - 1. Structure fires for real property located within the geographic boundaries of the Township that are not intentionally caused fires;
  - 2. The rendering of assistance and/or services to a person or to the personal property of residents of the Township. A resident, for purposes of this Ordinance, being defined as a person who has an address located within the Township on their driver's license or who is a registered voter in the Township or a person who is a dependent of a person who is aforementioned and is residing with that person at the same address; and
  - 3. Situations wherein any assistance is rendered pursuant to a mutual aid agreement whereby the provisions of this Ordinance would conflict with the terms of the mutual aid agreement.
- C. This Ordinance is in addition to, and not in place of, other ordinances and laws and is not meant to implicitly repeal any ordinance.

(Ord. No. 98-001, 7-20-98)

## 197.002 - Fees and collection.

## Sec. II.

- A. For any response to a situation by the Fire Department, the owner and operator and other person or entity having control of the person and/or object for which the circumstance or situation caused the Fire Department to respond, shall pay expenses in accordance with Ordinance No. 91-03 as authorized by the Atlas Township Board.
- B.

Within thirty (30) days after a response, the Fire Chief shall cause to be issued a statement of the fees and the basis for such. That statement shall be payable within thirty (30) days of the date of the statement.

- C. Upon the failure of the responsible party to pay such fees within thirty (30) days, the Fire Chief may cause the necessary action to be taken to collect such fees.

(Ord. No. 98-001, 7-20-98)

#### 197.003 - Contesting statement and appeal.

##### Sec. III.

- A. Any person or entity who disagrees with the statement for costs as sent by the Fire Chief may seek to resolve the disagreement with the Fire Chief within fourteen (14) days of the date of the statement. The Fire Chief, in his discretion, may adjust the amount of the statement based upon the position of the responsible party.
- B. Any person or entity who wishes to further contest the determination of the Fire Chief, as to the costs to be assessed, shall appeal that determination to the Atlas Township Board within thirty (30) days of the date of the statement.

(Ord. No. 98-001, 7-20-98)

#### 197.004 - Severability.

Sec. IV. Each and every article, section and subsection of this Ordinance, and each provision of each article, section and subsection, is declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this Ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

(Ord. No. 98-001, 7-20-98)

#### 197.005 - Effective date.

Sec. V. This Ordinance shall take immediate effect thirty (30) days after passage by the Township board and publication thereof.

(Ord. No. 98-001, 7-20-98)