

ALAMO TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 56-M

AN ORDINANCE TO AMEND ORDINANCE 45-M TO PROVIDE FOR THE BILLING AND COLLECTION OF FEES FOR THE PROVIDING OF EMERGENCY FIRE SERVICES WHERE REQUESTED BY A UTILITY OR PRIVATE OR PUBLIC ENTITY AND TO REPEAL ALL ORDINANCES INCONSISTENT THEREWITH.

WHEREAS, the Alamo Township Board finds that in certain situations, including, but not limited to, storms and other unusual events, where a utility or a public or private entity requests emergency fire services specifically benefiting the utility, private entity or public entity and where fairness and equity demands that the utility or public or private entity pay for the cost of those services; and

WHEREAS, the Alamo Township Board finds that it is equitable to collect the costs directly from those requesting emergency fire services..

NOW, THEREFORE, ALAMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, ORDAINS:

Ordinance 45-M is hereby amended in part as follows:

ARTICLE I

Article II, Definitions, (d), Responsible Party, is hereby amended and shall now read:

- d. *Responsible Party* means any individual, firm, corporation, sole proprietorship, partnership, public or private entity, utility, group or organization. The responsible party for an accident shall include the owner, driver and any co-owners of any vehicle involved, irrespective of whether criminal charges or civil infraction citations are issued. In the event of an arson or any other suspected criminal activity, the responsible parties are the owner, occupants and co-owners, if any, of the premises to which the Alamo Township Fire Department responds. In the event that a responsible party requests emergency fire services, the responsible party shall be the utility or public or private entity requesting such services.

ARTICLE II

Article II, Definitions, (e), Services, is hereby amended and shall now read:

- e. *Services* means any providing of any emergency medical, extrication, fire, safety, protection services or similar activities provided, but shall not include simply responding to an accident.

ARTICLE III

Article IV(a), Charges for Services Requested, is hereby added and shall now read:

- (a) Where a utility, public or private entity requests the Alamo Township Fire Department to provide services, the responsible party or parties shall be liable to the Township for the costs of response as set forth hereinafter.

ARTICLE IV

All Sections of Ordinance 45-m, as amended, not amended herein, shall remain in full force and effect.

ARTICLE V REPEALER

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

ARTICLE VI SEVERABILITY

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

ARTICLE VII EFFECTIVE DATE

This Ordinance shall take force and effect on April 22, 2008.

CERTIFICATE

I, Garilyn Sportel-Bogard, Clerk for Alamo Township, do hereby certify that the foregoing Alamo Township Ordinance No. 56-M was adopted by the Township Board at a regular meeting held on April 14, 2008, and that the following is a record of the vote of the members of said Township Board on said Ordinance.

AYES: Vlietstra, Stoneburner, Feniger, Potter-Williams, Sportel-Bogard

NAYS: None

ABSENT: None

ABSTAIN: None

Garilyn Sportel-Bogard
Township Clerk

ALAMO TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

RESOLUTION

WHEREAS, the Township Board of Alamo Township has passed Ordinance 45-M permitting the Township to civilly recover the expenses for emergency fire services; and

WHEREAS, Ordinance 45-M requires the Township Board to adopt a schedule of the rates to be charged for emergency fire services; and

WHEREAS, the schedule adopted herein represents the actual and reasonable costs to the taxpayers and residents of Alamo Township for responding to an accident on U.S. 131, to provide emergency services for a suspected criminal activity or a fire later determined to be arson or at the request of a utility or public or private entity.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Alamo Township does hereby adopt the following schedule of costs:

Fire Department response:

1. Response to accident on U.S. 131: \$300.00
2. Response to suspected criminal activity, arson, fire or at the request of a utility, public or private entity:

\$ _____ per Chief per hour
\$ _____ per Officer per hour
\$ _____ per Firefighter per hour
\$ _____ per truck per hour
\$ _____ per _____
\$ _____ per _____

BE IT FURTHER RESOLVED that the fees and costs set forth herein shall be effective beginning April ____, 2008, and shall continue in full force and effect until further action by the Township Board.

RESOLUTION DECLARED ADOPTED.