

ORDINANCE NO. 10-04

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 42, FIRE PREVENTION AND PROTECTION, ARTICLE II. FIRE PROTECTION SERVICE FEES BY CHANGING SECTIONS 42-37 THROUGH 42-41, OF THE CITY OF CORUNNA CODE.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

ARTICLE II. FIRE PROTECTION SERVICE FEES

SECTION 1. Sec. 42-36. Fee imposed.

The owners of premises within the city shall pay a fee for the provision of fire protection services by the Corunna-Caledonia fire department.

SECTION 2. Sec. 42-37. Residential and agricultural premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, agricultural machinery.

An owner of a residential and agricultural premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, or agricultural machinery shall pay a service fee for each provision of fire protection services (including water and cost of materials) by the Corunna-Caledonia Fire Department to that premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, or agricultural machinery. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code.

When a particular service rendered by the Corunna-Caledonia 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 involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 3. Sec. 42-38. Business, school, church and government premises.

An owner of a business, school (excluding personal property occurring on school premises), church or government premises shall pay a service fee for the first hour of provision of fire protection services by the Corunna-Caledonia Fire Department as set forth pursuant to chapter 38 of the City Code. Thereafter, the owner shall pay the actual cost of the provision of fire protection services (including water, **manpower, emergency response vehicles**, and cost of materials). ~~up to a maximum set amount service fee, as set forth pursuant to chapter 38 of the Corunna City Code.~~

When a particular service rendered by the Corunna-Caledonia 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 involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 4. Sec. 42-39. Industrial premises.

An owner of an industrial premises shall pay a service fee for the first hour of provision of fire protection services by the Corunna-Caledonia Fire Department to that premises as set forth pursuant to chapter 38 of the City Code. Thereafter, the owner shall pay the actual cost of the provision of fire protection services (including water, **manpower, emergency response vehicles**, and cost of materials). ~~up to a maximum set amount service fee, as set forth pursuant to chapter 38 of the Corunna City Code.~~

When a particular service rendered by the Corunna-Caledonia 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 involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 5. Sec. 42-40. Other services.

Persons residing within or outside of the City of Corunna shall pay a service fee to the Corunna-Caledonia Fire Department for responding to a lift assist that is not in conjunction with a dispatched fire complaint, unauthorized grass and brush fires, hazardous material clean-up services, and false alarms. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code. **The unpaid fees plus any late charges will be subject to collection.**

When a particular service rendered by the Corunna-Caledonia 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 involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 6. Sec. 42-41. Non-resident service fee.

Persons residing outside of the City of Corunna shall pay a service fee for each provision of fire protection services (including water, **manpower, emergency response vehicles** and cost of materials) by the Corunna-Caledonia Fire Department. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code. The unpaid fees plus any late charges will be subject to collection.

When a particular service rendered by the Corunna-Caledonia 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 involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 7. Sec. 42-42. Deposit of payments.

All payments shall be made to the Corunna-Caledonia fire department, which shall deposit the payments in a capital improvement fire fund created for that purpose.

SECTION 8. Sec. 42-43. Payment due date; late penalty.

Payments are due upon receipt of a billing from the Corunna-Caledonia Fire Department. Any billing not paid in full within 90 days from the due date shall carry interest on the unpaid balance at the rate five percent per annum.

SECTION 9. Sec. 42-44. Unpaid fees; creation of lien.

(a) On September 1 of each year, the Corunna-Caledonia fire department shall notify the city treasurer of unpaid fees within the city. On October 1 of each year, the city treasurer shall certify such fees to the county treasurer who shall cause them to be entered upon the next city and county tax roll against the premises to which such services shall have been rendered and against which such fee has been placed. Such installments shall be a lien on the premises as of the due date thereof and shall be collected and the lien shall be enforced in the same manner as provided in respect to taxes assessed upon the roll.

(b) On September 1 of each year, the Corunna-Caledonia fire department shall notify the deputy clerk of unpaid fees from the owners of premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, agricultural machinery, business, schools, churches, governments, and industrial premises who do not reside within the city. On October 1 of each year, the deputy clerk shall certify such fees and forward such fees to a collection agency for the sole purpose of collecting unpaid fire run fees to which such services shall have been rendered and against which such fee has been placed. The unpaid fees plus any late charges will be subject to collection.

SECTION 10. Sec. 42-4345. Waiver of fees.

Fees for the provision of services by the Corunna-Caledonia Fire Department to the following locations shall be waived if the service provided is to search for missing clients, patients or children, assist in accident reconstructions, traffic control, assist in transporting patients or other non-fire related services:

- (1) Pleasant View (Shiawassee County Medical Care Facility).
- (2) All group homes located within the city.
- (3) Owosso Police Department.
- (4) Corunna Police Department.
- (5) Shiawassee County Sheriff's Department.
- (6) Corunna Area Ambulance.
- (7) Michigan State Police.

SECTION 11. FEE SCHEDULE.

FALSE ALARMS	\$300.00 and/or total costs incurred up to \$500.00
LIFT ASSISTS	\$300.00 and/or total costs incurred up to \$500.00
BOMB THREATS	\$300.00 and/or total costs incurred up to \$500.00

When adopted by the City Council, the fee schedule shall be and are hereby incorporated herein. Said fee schedule and waiver of fees from said schedule as set forth in Section 42-45 hereof may be changed from time to time pursuant to Chapter 38 of the Corunna City Code and such changes shall not require a formal amendment of this ordinance.

SECTION 12. SEVERABILITY CLAUSE.

This ORDINANCE and the several sections, sub-sections, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or court decree, the balance of the ORDINANCE shall not be affected thereby.

SECTION 13. CONFLICTING ORDINANCES REPEALED.

All ORDINANCES previously adopted and inconsistent with the provisions of this ORDINANCE are repealed, and in the case of inconsistencies, to the extent of such inconsistencies, are hereby repealed.

SECTION 14. COPIES AVAILABLE.

This ORDINANCE may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 15. EFFECTIVE DATE.

This ORDINANCE shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE: April 19, 2010
DATE OF PUBLICATION: April 23, 2010
EFFECTIVE DATE: April 23, 2010

CITY OF CORUNNA

BY: _____
Charles Kerridge
Its: Mayor

BY: _____
Nichole L. Cowdrey
Its: City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF SHIAWASSEE)

I, Nichole L. Cowdrey, being clerk of the City of Corunna, do hereby certify that the foregoing is a true and accurate copy of the City of Corunna ORDINANCE NO. 10-04 passed on the 19th day of April, A.D., 2010. Further, I certify that I caused the same to be published in the Owosso Argus Press newspaper in the City of Owosso, Michigan, within fifteen (15) days after passage and adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of April, A.D., 2010.

Nichole L. Cowdrey, City Clerk