

TOWNSHIP OF VASSAR FIRE PROTECTION ORDINANCE

An ordinance to protect the public health, safety, and welfare by providing for the control of fires which may threaten life and property; to charge a fee to persons who allow fires to burn out of control; to prohibit the turning in of false alarms; to charge a fee to persons turning in the false fire alarm; to authorize the setting of fees for fire protection services; to authorize the collection of fire run fees from the owners of property by the fire run; and to repeal prior fire resolutions and motions.

THE TOWNSHIP OF VASSAR ORDAINS:

ARTICLE I

LIABILITY FOR SETTING FIRES

Section 1.01 No fire shall be set outside of an enclosed burner unless the person setting the fire has taken sufficient precautionary measures to prevent the fire from burning out of control.

Section 1.02 Any person who sets a fire which burns out of control shall be liable for the fees and costs established pursuant to Article IV for any fire run made to the fire.

ARTICLE II

LIABILITY FOR FALSE ALARMS

Section 2.01 No person shall cause a fire alarm to be turned in unless he has good cause to believe a fire actually exists or unless he has notified the fire department that a fire alarm will be turned in pursuant to testing, repairing, or otherwise working on a fire alarm system.

Section 2.02 Any person who has a fire alarm system on his premises shall maintain such alarm system so that no false alarms are inadvertently transmitted to the fire department from such a fire alarm system.

Section 2.03 Any person who is in violation of 2.01 turns in a false fire alarm or who in violation of Section 2.02 fails to maintain a fire alarm system so as to prevent false alarms, shall be liable for the fees established pursuant to Article IV for any fire run made pursuant to the false alarm.

ARTICLE III

LIABILITY FOR PROPERTY PROTECTION

Section 3.01 The owners of real or personal property, including motor vehicles, which the Township attempts to protect on a fire protection run shall be liable for any applicable fees and costs established pursuant to Article IV for the fire protection run.

Section 3.02 Public utility companies which own utility lines or other facilities which the Township attempts to protect on a fire protection run shall be liable for the applicable fees and costs established pursuant to Article IV for any fire protection run.

ARTICLE IV
FEES AND COST RECOVERY

Section 4.01 The fees to be charged for the fire protection services shall be set by motion of the Township Board. The fees may be revised at any time by further motions of the Township Board.

Section 4.02 In the event that a fire or hazardous situation necessitates that the fire department expend time, equipment, or materials in excess of the standard fire run fee, the responsible party shall also be liable for the actual costs in excess of the fire run fee amount.

ARTICLE V
COLLECTION OF FIRE RUN FEES

Section 5.01 Within ten (10) days of receipt of fire run documentation from the Fire Department, the Township Clerk shall send a billing to the responsible party.

Section 5.02 Any fire run fee which remains unpaid for ninety (90) days after being mailed to the responsible party may be collected through a District Court Small Claims action or by other actions filed in the District or Circuit Court. The Township Board shall designate by motion the Township official responsible for filing any District Court Small Claims collection actions.

ARTICLE VI
ENFORCEMENT

Section 6.01 Any person, entity, or corporation who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction, subject to payments of a civil fine of not less than fifty (50) and 00/100 (\$50.00) Dollars, plus costs and other sanctions, for each infraction. Repeat offenses under this Ordinance shall be subject to increased fines as provided for in the Vassar Township Civil Infraction Ordinance.

Section 6.02 Any person, entity or corporation who fails to pay the full amount of any fees and cost recovery charged pursuant to this Ordinance shall also be subject to collection action through the District or Circuit Courts.

ARTICLE VII
REPEAL OF PRIOR MOTIONS AND RESOLUTIONS

Section 7.01 Any motions or resolutions as to fire protection previously adopted by the Vassar Township Board prior to the adoption date of this ordinance are hereby repealed as of the effective date of this ordinance.

ARTICLE VIII
ENACTMENT AND EFFECTIVE DATE

Section 8.01 This ordinance was adopted by the Vassar Township Board at a meeting duly held on the 10th day of May, 2011 and was published in the Tuscola County Advertiser on the 1st day of June, 2011. This ordinance became effective thirty (30) days after said date of publication.

Rena Schnettler, Clerk