

Ordinance 33

An Ordinance Established Fees for Emergency Protection Fire Services

THE CITY COUNCIL OF THE CITY OF ASHBY, MINNESOTA DOES ORDAIN:

SECTION ONE: PURPOSE AND INTENT

This ordinance is adopted for the purpose of authorizing the City of Ashby to charge for fire services as authorized by Minn. Stat. 366.011, 366.012 and 415.01.

SECTION TWO: DEFINITIONS

- A. "Fire Service means any deployment of fire fighting personnel and/or equipment to extinguish a fire or perform any preventive measures in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of fire fighting personnel and/or equipment to provide fire suppression, rescue, extrication, and other service related to fire and rescue as may occasionally occur.
- B. "Fire service charge" means the charge imposed by the City for receiving fire service.
- C. "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all-terrain vehicles or park trailers.
- D. "Fire protection contract" means a contract between the City and a town or other city for the City to provide fire service.
- E. "Mutual Aid Agreement" means an agreement between the City and a town or other city for the City's fire department to provide assistance to the fire department of a town or other city.

SECTION THREE: PARTIES AFFECTED

- A. Owners of property within the City who receives fire service.
- B. Owners of property in townships or cities to which the City provides fire service pursuant to a fire protection contract.
- C. Anyone who receives fire service as a result of a motor vehicle accident or fire within the City or a township serviced by a fire protection contract.

SECTION FOUR: RATES

Rates per run for structure fires, vehicle fires, car accidents, rescue calls and grass fires are \$500.00 per run including the first two hours, and \$100 per hour for each additional hour or fraction thereof with a minimum charge of \$500 per run. In addition, all chemicals, and other special extinguishing agents and equipment shall be billed to the property owner at the Fire Department's costs.

SECTION FIVE: BILLING AND COLLECTION

- A. Parties requesting and receiving fire services will be billed directly by the City of Ashby within 30 days of the fire service. Additionally, if the party receiving fire service did not request services for a fire or another situation exists which, at the discretion of the fire department personnel in charge requires fire service, the party will be charged and billed. All parties will be billed whether or not the fire service is covered by insurance. Any billable amount of the fire charge not covered by a party's insurance remains a debt of the party receiving the service.
- B. Parties billed for fire service will have 30 days to pay. If the fire service charge is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency. The City reserves the right to use all practical and reasonable legal means to collect the fire service charge. The party receiving fire service shall be liable for all collection costs incurred by the City including, but not limited to, reasonable attorney fees and court costs.

- C. (D) If the fire service charge remains unpaid for 30 days after the notice of delinquency is sent, the City Council may also, anytime during the year, certify the unpaid fire service charge to the county auditor in which the recipient of the services owns real property for collection with taxes. The county auditor is responsible for remitting to the city all charges collected on behalf of the city. The City must give the property owner notice of its intent to certify the unpaid fire service charge 30 days prior to certification.
- D. (E) Automated alarms will be billed as a fire call after two false alarms have been responded to by the Fire Department. The third false alarm will be billed at the regular run rate listed above.

SECTION SIX: MUTUAL AID AGREEMENT

When the City fire department provided fire service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

SECTION SEVEN: BILL PROCEDURE FOR FIRE PROTECTION CONTRACT WITH TOWNS OR OTHER CITIES

When the City fire department provides fire service to another fire department pursuant to a Fire Protection Contract, the billing will be determined by the Contract.

SECTION EIGHT: APPLICATION OF COLLECTIONS TO BUDGET

All collected fire charges will be city funds and used to offset the expenses of the City fire department in providing fire services.

Passed by the Ashby City Council on this date April 8, 2009.

Amended on this date February 10, 2011.

Mayor

Clerk

Summary for Publication:

City of Ashby, County of Grant, State of Minnesota

Ordinance 33

An Ordinance Established Fees for Emergency Protection Fire Services

This ordinance is adopted for the purpose of authorizing the City of Ashby to charge for fire services as authorized by Minn. Stat. 366.011, 366.012 and 415.01. This ordinance details rates and collection methods for charging property owners for fire calls.

This publication is a summary of the actual Ordinance. A printed copy of the ordinance is available for inspection at the office of the City Clerk, Monday through Thursday, 9:00 a.m. to 4:00 p.m.