

VILLAGE OF FAIRGROVE
TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 56

FIRE PROTECTION

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 fire alarms; to charge a fee to persons turning in a 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 protected by the fire run; and to repeal the prior fire protection ordinance.

THE VILLAGE OF FAIRGROVE ORDAINS:

ARTICLE I

LIABILITY FOR SETTING FIRES

Section 1.01. 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 fire alarm system.

Section 2.03. Any person who in violation of Section 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 Village 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 Village 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 fire protection services shall be set by resolution of the Village Council. The fees may be revised at any time for further resolution of the Village Council.

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

ENFORCEMENT

Section 5.01. 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 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 Fairgrove Village Civil Infraction Ordinance.

Section 5.02. Any person, entity or corporation who fails to pay the full amount of any fees and costs recovery charged pursuant to this Ordinance shall be subject to collection action through the District or Circuit Courts.

ARTICLE VI

REPEAL OF PRIOR ORDINANCE

Section 6.01. The former Fairgrove Village Fire Department Billing Ordinance No. 54, adopted on July 11, 2005, is hereby repealed.

ARTICLE VII

ENACTMENT AND EFFECTIVE DATE

Section 7.01. This Ordinance was adopted by the Fairgrove Village Council at a meeting duly held on the 7th day of April, 2008 and was published in the *Tuscola County Advertiser* on the 16th day of April, 2008. This Ordinance shall take effect twenty days after the date of adoption.

ADOPTED APRIL 7, 2008

EFFECTIVE MAY 2, 2008

Duane L. Maguire, President

Beverly J. Parsell, Clerk