

**DOUGLASS TOWNSHIP
MONTCALM COUNTY
ORDINANCE NO. 2026-03
EMERGENCY CHARGES ORDINANCE**

THE TOWNSHIP OF DOUGLASS ORDAINS:

Section 1: Purpose

This ordinance is adopted to enable the Township to bill for and collect cost recovery charges from those receiving direct benefits from the fire protection and other emergency services provided to the Township through contractual or intergovernmental arrangements with other fire departments or emergency service providers. It is the further purpose of the ordinance to provide for full funding of the Township's fire protection and other emergency services which remain, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the Township.

Section 2: Cost-Recovery Charges

- A. The Township shall initiate mitigation rates for the delivery of emergency and non-emergency services by any entity with whom the Township contracts for fire protection services, for personnel, supplies and equipment to the scene of emergency and non-emergency incidents
- B. The Township Board, by resolution, shall establish a schedule of fees to be charged to a recipient of any fire or other emergency services provided by the Township. These charges shall apply to all fires on or in private property within the Township to which any entity authorized by contract to provide fire protection services within the Township is called to fight fire or provide emergency services at the scene of the fire. The Township Board at any time may increase or decrease the charges as it deems necessary, based upon the costs of providing this service and the insurance coverage of the responsible party.
- C. The Township Board may contract with a third party for billing.
- D. Charges shall be reasonably based on the actual cost of providing the service involved and that which is usual, customary and reasonable.
- E. The Township Fire Department, or other entity authorized by contract to provide fire protection services within the Township, is responsible for providing the information necessary to bill the recipient of services.

Section 2: Liability for Setting Fires and False Alarms

- A. Any person who sets a fire which burns out of control shall be liable for the fees and costs established pursuant to this Ordinance.
- B. Any person who turns in a false fire alarm or who fails to maintain a fire alarm system so as to prevent false alarms shall be liable for the fees established pursuant to this Ordinance.

Section 3: Claims

A claim shall be filed to the responsible party(s) through their insurance carrier for payment of mitigation rates. In some circumstances, the responsible party(s) will be billed directly.

Section 4: Payment

All charges under this Ordinance are due and payable within 30 days from the date the service is billed.

Section 5: Collection

- A. The Township may contract with a third party for the collection of charges in accordance with this Ordinance.
- B. The Township may proceed in district court by suit to collect any monies remaining unpaid from a responsible party and shall have any and all other remedies provided by and subject to law for the collection of said charges.

Section 6: Multiple Properties

When services rendered directly benefit more than one person or property, the owner of each property benefited, and each person benefited where property protection is not involved, are liable for payment of the full charge individually and severally.

Section 7: Repealer

All other ordinances or parts of ordinances that conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 8: Severability

Should any provision of this Ordinance be held invalid, such holding will not affect the validity of the Ordinance as a whole and its remaining provisions.

Section 9: Effective Date

This Ordinance takes effect thirty days after publication of its adoption.

AYES: 5 Holly Huff, Ken Bunting, Eric Tester, Kathy Rasmussen, Kristi Cordray

NAYS: 0

Ordinance declared adopted.

STATE OF MICHIGAN)

COUNTY OF MONTCALM)

) ss.

I, the undersigned, the duly qualified and acting Clerk of the Township of Douglass, Montcalm County, Michigan (the "Township"), do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board at a regular meeting on May 19, 2026, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed by official signature on this day of _____

Holly Huff

Clerk of Douglass Township