

ERIE TOWNSHIP ORDINANCE NO. 108  
FIRE DEPARTMENT AND POLICE DEPARTMENT  
SERVICE FEES ORDINANCE

An Ordinance to establish charges and fees for providing certain Fire Department and Police Department services.

This Ordinance was enacted pursuant to the authority granted in Act 246 of the Public Acts of 1945. It is to generally provide for and secure the public health, safety and general welfare of the persons and property of Erie Township. It is intended to repeal all ordinances and regulations, or parts thereof, in conflict hereof.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE ORDAINS:

SECTION 1 - TITLE

This Ordinance shall be known as the Erie Township Fire Department and Police Department Service Fees Ordinance.

SECTION 2 - PURPOSE

The within Ordinance is to provide authority to levy charges and collect fees for the Erie Township Police Department and/or Erie Township Fire Department, including the Erie Fire Department division and the Morin Point Fire Department division, for emergency police and/or emergency or non-emergency fire protection services rendered to protect individuals, entities and their property, who are not Erie Township residents, and rendered to protect public utility companies and their property, or which are caused by the deliberate act of any individual or entity, and to provide for fees to be set by resolution by the Township Board.

SECTION 3 - CHARGEABLE POLICE AND FIRE PROTECTION SERVICES

Chargeable police and fire protection services included in this Ordinance for both the Police and/or Fire Departments are:

- Accidents involving aircraft, rail trains, trucks and/or other vehicles for the transportation of goods or people
- Vehicle fires (both accidental and arson)
- Marine/boat fires and rescues
- Non-injury vehicle accidents
- PDA incident (property damage accident)
- PI accidents (personal injury)
- Recovery of stolen vehicles and properties.
- Safety investigations
- Traffic obstructions caused by vehicles where Police and/or Fire Department provide traffic control
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- Securing, control and monitoring of any hazardous condition created by any disruption or damage of utility distribution property and equipment
- Extinguishment, control, and monitoring of any “out of control” and/or unauthorized fire
- Any other request for service within Erie Township by any other agency

For all of the above-stated rendered emergency police and/or emergency or non-emergency fire protection services, the person, entity or utility who receives the services or who deliberately causes the occurrence requiring the services, shall be responsible for paying the charges and fees established by resolution of the Township Board.

**SECTION 4 - ESTABLISHMENT OF CHARGES AND FEES**

Erie Township finds that any and all persons or entities receiving the emergency police and/or emergency or non-emergency fire protection services listed in Section 3 for the protection of persons or property, who are not residents of Erie Township at the time that said services are provided, or who are public utilities, or who deliberately causes the occurrence requiring the services, shall remit the amount set forth in the Schedule of Fees attached hereto or as may be modified from time to time for each incident requiring services. Said funds are to be used to defray the costs of operating and housing equipment, labor and supplies for such services by the Township Police and Fire Departments.

**SECTION 5 - CHARGES AND FEES**

The charges and fees to be charged and paid in accordance with this Ordinance shall be those fees set forth in the Schedule of Fees attached hereto (Appendix A), which may be modified from time to time by resolution of the Township Board. The Schedule of Fees shall be available at the Office of the Township Clerk for inspection by the public during regular office hours.

**SECTION 6 - BILLING**

The charges and fees to be charged and paid in accordance with this Ordinance shall be charged as a fee imposed upon the responsible party(s) and is collectible by the Township in the same manner as an obligation under contract, express or implied.

**SECTION 7 - MULTIPLE PROTECTION OR AID**

When a particular service rendered by the Township Police Department and/or Fire Department(s) directly benefits more than one non-resident person or entity, or public utility, or their persons or property, or is deliberately caused by more than one person, entity or utility, each of such persons or entities, or public utilities, shall be liable for the payment of the full charged fee for such service hereinabove outlined.

SECTION 8 - COLLECTIONS

The Township of Erie may proceed in any court of competent jurisdiction by suit to collect any monies remaining unpaid after thirty (30) days of billing, and shall have any and all other remedies provided by law for the collection of said charged fees.

SECTION 9 - PUBLICATION

The Erie Township Clerk shall publish this Ordinance in the manner required by law and a complete copy of the Ordinance shall be available at the office of the Township Clerk for inspection by the public at all times.

SECTION 10 - REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are to the extent of such conflict repealed.

SECTION 11 - SEVERABILITY

This Ordinance, and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance in each part, sentence, paragraph, section, subsection, phrase and clause thereof, irrespective of the fact that either one or more parts, sentences, paragraphs, sections, phrases or clauses are declared invalid.

SECTION 12 - EFFECTIVE DATE

This Ordinance shall become effective after it, or a summary of it, has been published in a newspaper of general circulation in the Township of Erie.

THE TOWNSHIP BOARD OF THE  
TOWNSHIP OF ERIE, COUNTY OF  
MONROE, STATE OF MICHIGAN:

By: Gayle A. Burlen  
Gayle A. Burlen,  
Erie Township Clerk

AUTHENTICATED:

Daniel J. Bonkoski  
Daniel J. Bonkoski,  
Erie Township Supervisor



**POLICE DEPARTMENT  
AND  
FIRE DEPARTMENT SCHEDULE OF FEES  
APPENDIX A**

**TYPE OF SERVICE**

Police Car	\$	60.00 per hour
Police Officer	\$	hourly rate + 100%
Pumper	\$	150.00 per hour
Tanker	\$	150.00 per hour
Rescue Squad	\$	100.00 per hour
Mini/Brush	\$	100.00 per hour
Heavy Rescue	\$	125.00 per hour
Boat	\$	100.00 per hour
"Sea-Doo"	\$	100.00 per hour

I, Gayle A. Burlen, the Township Clerk of the Township of Erie, do hereby certify that this Ordinance or a summary of it, was published on the 1st day of July, 2002 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Erie, within thirty (30) days after adoption of the Ordinance.

Dated: 7-1-02

Gayle A. Burlen  
Gayle A. Burlen,  
Erie Township Clerk

ATTEST:

Daniel J. Bonkoski  
Daniel J. Bonkoski,  
Erie Township Supervisor

ADOPTED: June 12, 2002  
PUBLISHED: July 1, 2002  
EFFECTIVE: July 2, 2002

**ERIE TOWNSHIP  
ORDINANCE NO. 108**

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO  
CHARGE USER FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES  
RENDERED BY THE TOWNSHIP OF ERIE AT EMERGENCY SERVICE CALLS.**

**WHEREAS**, Emergency Fire and Police Department service run activity to emergency service calls continues to increase each year; new Home Security regulations, such as biological training and equipment, etc., will create increased demands on all operational areas of the Fire and Police Department's services; and,

**WHEREAS**, the Fire Department and Police Department have investigated different methods to maintain a high level of quality of Fire and Police emergency services throughout times of constantly increasing service demands, where maintaining an effective response by the Fire and Police Departments decreases the insurance companies costs by saving lives and minimizing property damage by fire; and,

**WHEREAS**, raising the real property tax to meet the increase in service demands would not be fair to the property owners, when a majority of the Emergency Service calls involve individuals not owning property or paying property taxes in the jurisdiction of the Fire and Police Departments; and the ability of the Fire and Police Departments to effectively respond decreases the liability of the insurance companies by saving lives, professionally documenting the scene and minimizing property damage by fire; and,

**WHEREAS**, the Township Board desires to implement a fair and equitable procedure by which to collect said emergency service call fees from insurance companies and non-tax payers and shall establish a billing system in accordance with State and Federal laws, regulations and guidelines; Now, Therefore,

**BE IT ORDAINED BY THE BOARD OF THE TOWNSHIP OF ERIE, MI:**

**SECTION 1.** The Erie Township Ordinance No. 108 known as "Fire Department and Police Department Service Fees Ordinance" shall be replaced by this Ordinance 108 on the effective date.

**SECTION 2.** The Township of Erie's Fire and Police Departments shall initiate user fees for the delivery of Fire and Police Department services, personnel, supplies and equipment to the scene of accidents (injury or non-injury) involving motor vehicles, aircraft, rail trains, and water vessels. Fees shall also be assessed for marine/boat fires and rescues, emergency vehicles providing traffic control at a scene and additional personnel needed at scene to reconstruct an accident or event. The rate of the user fees shall be that which is usual, customary and reasonable costs (UCR), which includes any services, personnel, supplies and equipment and may fluctuate based on the needs of the accident.

**SECTION 3.** The user fees shall be filed to the appropriate insurance, representing an add-on-cost of the claim for damages of the vehicles, property and/or injuries. The claim costs shall be filed to the insurance coverage of the owner of a vehicle, owner of property, or responsible party.

**SECTION 4.** The Township Board may make rules or regulations, and from time-to-time may amend, revoke or add rules and regulations, not consistent with this Section as they may deem necessary or expedient in respect to billing for these fees or the collection thereof.

**SECTION 5.** All amounts collected as a result of this Ordinance shall be placed into a fund as established by the Finance Director to be used exclusively for personnel, supplies and equipment for the Fire and Police Departments.

**SECTION 6.** This Ordinance shall become effective 30 days after it, or a summary of it, has been published in a newspaper of general circulation in the Township of Erie.

I, Amy L. Whipple, Township Clerk of the Township of Erie, do hereby certify that this Ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan, at a regular meeting of the Township Board held at the Erie Township Hall, Erie, Michigan, on the 12<sup>th</sup> day of April, 2005.

Vote on said Ordinance:

Yes	<u>4</u>
No	<u>0</u>
Abstain	<u>0</u>
Absent	<u>1</u>

Amy L. Whipple  
Amy L. Whipple, Clerk

Attest:

Paul W. Mikels  
Paul Mikels, Supervisor  
Dated: April 12, 2005

Adopted Date 4-12-05  
Published Date 4-26-05  
Effective Date 5-26-05

I, Amy L. Whipple, Clerk of the Township of Erie, do hereby certify that the foregoing Ordinance No. 108 was duly published in the Monroe Evening News, a newspaper of general circulation in the Township of Erie on 26<sup>th</sup> day of April, 2005; and I further certify the compliance with the Codified Ordinances of the Township of Erie and the laws of the State of Michigan pertaining to Public Meetings.

Amy L. Whipple  
Amy L. Whipple, Clerk



