

ORDINANCE 2013 - 08
AN ORDINANCE ESTABLISHING FEES FOR EMERGENCY
PROTECTION, FIRE SERVICES

The City Council of the City of Trimont does ordain:

Section 2.07 Fees for Emergency Protection Fire Services.

This ordinance is adopted for the purpose of authorizing the City of Trimont to charge for fire service as authorized by Minnesota Statutes Section 366.011, Section 366.012, and Section 415.01.

Subd. 1. Definitions.

- A. “Fire Service” means any deployment of fire fighting personnel and/or equipment to extinguish a fire or perform any preventative measure 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 any other services 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, township, or other entity for which the City is to provide fire services.
- E. “Mutual aid agreement” means an agreement between the City and a town, township, or other entity for the City’s fire department to provide assistance to the fire department of a town, township, or other entity.

Subd. 2. Parties Affected.

- A. Owners of property within or outside the city limits who receive fire service.

- B. Anyone who receives fire service as a result of a motor vehicle accident or fire within or outside the city protection or mutual aid area.
- C. Owners of property in towns, townships, or entities to which the City provides fire service pursuant to a fire protection contract.

Subd. 3. **Rates.**

Rates for any and all services provided by the City fire department shall be billed at the rate recommended by the Fire chief and approved by City Council and shall be incorporated in the City Fee Schedule.

Subd. 4. **Billing and Collection.**

- A. Parties requesting and receiving fire services may be billed directly by the City. Additionally, if the party receiving fire services did not request services, but a fire or other 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 fire service.
- B. Parties billed for fire services will have thirty (30) days to pay. If the fire services charge is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency.
- C. If the fire service charge remains unpaid for thirty (30) days after the notice of delinquency is sent, the City will 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 too, reasonable attorney fees and court costs.
- D. If the fire service charge remains unpaid for thirty (30) days After the notice of delinquency is sent, the City Council may also, on or before October 15 of each year, certify the unpaid fire service charge to the county auditor in which the recipient of the services owns real property for collection with property 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 owners notice of its intent to certify the unpaid fire service charge

by September 15th.

E. False alarms will be billed as a fire call.

Subd. 5. **Mutual Aid Agreement.**

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

Subd. 6. **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.

Subd. 7. **Effective Date.**

This ordinance shall become effective after its passage and summary publication.

Thomas Eckmann
Mayor

ATTEST:

Melissa Flohrs
City Clerk

Introduced June 17, 2013
Adopted July 15, 2013
Published July 24, 2013