

TOWNSHIP OF FREMONT

FIRE PROTECTION ORDINANCE

Ordinance No. 109

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 and amendment.

THE TOWNSHIP OF FREMONT ORDAINS:

ARTICLE I

BURNING PERMITS AND LIABILITY FOR SETTING FIRES

Section 1.01. No fire shall be set outside of an enclosed burner unless the person setting the fire has obtained a burning permit from the fire department and has taken sufficient precautionary measures to prevent the fire from burning out of control. No burning permit shall be required for a recreational bonfire contained within a ring which is no larger than five (5) feet in diameter.

Section 1.02. 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 Township 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 Township 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 Township Board. The fees may be revised at any time by further resolution of the Township Board.

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 authorized in the Fremont Township Civil Infraction Ordinance.

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


Section 5.03. Any fire run fee which remains unpaid for ninety (90) days after being mailed to the responsible party may be assessed on the property tax bill for the property which the fire run attempted to protect.

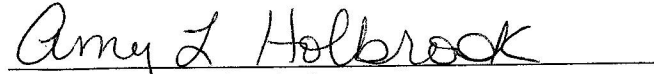
ARTICLE VI

REPEAL OF PRIOR ORDINANCE

Section 6.01. The former Fremont Township Fire Charges Ordinance No. 4, adopted on October 11, 1989, and the Fire Charges Ordinance Amendment adopted on March 11, 1998, are hereby repealed.

The undersigned Supervisor and Clerk of the Township hereby certify that this Ordinance was adopted by the Fremont Township Board at a meeting duly held on the 9 day of January, 2014 and was published in the Tuscola County Advertiser on the 15 day of January, 2014. This Ordinance is effective thirty (30) days after said date of publication.


Henry J. Wymore, Supervisor


Amy L. Holbrook, Clerk