

PART 6

FIRE

Article 1: General Provisions

Secs. 6.1.01 - 6.1.15: Reserved

Article 2: Definitions

Secs. 6.2.01 - 6.2.15: Reserved

Article 3: Burning for clearing and disposal of refuse material.

Sec. 6.3.01: Permit; When Required

- (a) No person shall set an open fire in the township for the purpose of clearing land and or disposing of yard waste, refuse and/or waste material by burning without first obtaining a permit to do so from the Portland Fire District as herein provided.
- (b) No person shall set an outdoor fire not contained in a burner or pit that is constructed of such material and in such a manner as to prevent the spreading of fire therefrom, without first obtaining a permit to do so from the Portland Fire District as herein provided.

Sec. 6.3.02: Request for Permit

The request for permit to set an open fire within the township shall be made in writing as prescribed by the Portland Fire District.

Sec. 6.3.03: Permits

Any permits issued under this Article shall be issued by the Portland Fire District, and signed by the Chief of the Portland Fire District or his designee.

Sec. 6.3.04: Fees-Reserved

Sec. 6.3.05: Regulations

Any person who is granted a permit to set an open fire under this Article shall have sufficient persons constantly in charge of said fire so as to prevent the spreading thereof.

Sec. 6.3.06: Conditions Creating Fire Emergency

- (a) Whenever there occurs in the Township conditions creating serious fire hazards, the Township Supervisor, or in his absence, the Township Clerk, shall determine whether a period of public emergency exists, and if so shall impose a fire ban during the same.
- (b) The Portland Fire District shall not issue a permit under this Article during such period of public emergency.
- (c) The Township Supervisor, or in his absence, the Township Clerk, shall declare the end of such period of public emergency when the conditions creating serious fire hazards have abated.

Sec. 6.3.07: Penalties

Any person convicted of any provision of this Article shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500.00), and or sentenced to not more than ninety (90) days imprisonment.

Article 4: Fire and Emergency Medical Service Charges

Section 6.4.01: Purpose

This ordinance is adopted for the purpose of providing financial assistance to the Township in the operation of fire and emergency medical services from both residents and nonresidents receiving direct benefits from fire and emergency medical services. The charges established herein are designed and intended to provide for full funding of the Township's fire and emergency services taking into consideration funding contributed to these services by the Township through other means.

Section 6.4.02: Establishment of Charges

- (a) Township Charge: The Township will charge fees to recipients of fire and emergency medical services provided within the Township.
- (b) Charges for Fire and Emergency Medical Service: The charges billed to each recipient of fire and emergency medical services shall be in accordance with the fee schedule attached hereto as Exhibit A and as it may be amended from time to time and adopted by resolution of the Township Board.
- (c) Exemptions: The following shall be exempt from the fire charges:
 - 1. Fire involving Township buildings, grounds and/or property
 - 2. False alarms
 - 3. Fires caused by railroad trains which are the specific statutory responsibility of railroad companies
 - 4. Fire service performed outside the jurisdiction of the Township under a mutual aid contract with an adjoining municipality
- (d) Amendment of Fees. The fees set forth in the fee schedule attached hereto as Exhibit A, or as may be amended from time to time by resolution of the Township Board, reflect a reasonable estimate of the proportional cost to the Township of providing fire and emergency medical service to the respective recipients.

Section 6.4.03: Multiple Recipients

More than one recipient may be served in a single incident. If property protection is involved, the owner of the property and all persons benefited by the fire or emergency

medical services shall be jointly and severally liable for payment of the full charge. If property protection is not involved, all those persons benefited by the fire and emergency medical services shall be jointly and severally liable for the payment of the full charge. If a recipient disagrees with the determination of charges, that determination may be appealed to the Township Board.

Section 6.4.04: Billing and Collection

- (a) Charges Due: The Township will bill each recipient served. All charges are due and payable upon mailing and shall be paid within thirty (30) days.
- (b) Collection: The Township, through an elected official or employee, may proceed in small claims court and/or through its attorneys in district court or through a collection bureau to collect any fire or emergency medical service charges remaining unpaid thirty (30) days after the date of billing. For any amounts that remain unpaid after sixty (60) days, the Township may impose a late charge of one and one-half percent (1 ½ %) per month, or a fraction thereof, plus court costs and collection expenses, including attorney fees. The Township shall have any and all other remedies provided for by law for the collection of said charges.

Section 6.4.05: Non-exclusive Charge

The fire or emergency medical service charges shall not be the exclusive means available to the Township to defray the costs and expenses of equipping and maintaining fire and emergency medical services, but may be supplemented through general taxation after a vote of the electorate approving the same or by a special assessment district established under Michigan statutes or by contribution from the general funds of the Township in its sole discretion.

Exhibit A

PORTLAND TOWNSHIP

FIRE AND EMERGENCY MEDICAL SERVICE CHARGE FEE SCHEDULE

The Township will bill each recipient served by or with fire and emergency services, including ambulance service at the rates listed below. All charges are due and payable upon mailing and shall be paid within thirty (30) days.

Fire Service \$500.00 per run

Ambulance and Other Emergency Medical Service \$550.00 per run

Collection: The Township, through an elected official or employee, may proceed in small claims court and/or through its attorneys in district court or through a collection bureau to collect any fire or emergency medical service charges remaining unpaid thirty (30) days after the date of billing. For any amounts that remain unpaid after sixty (60) days, the Township may impose a late charge of one and one-half percent (1 1/2 %) per month, or a fraction thereof, plus court costs and collection expenses, including attorney fees. The Township shall have any and all other remedies provided for by law for the collection of said charges.

