

ORDINANCE # 81

AN ORDINANCE ESTABLISHING POLICY AND PROCEDURE FOR EMERGENCY FIRE PROTECTION SERVICES

Section 1. Purpose and Intent

This ordinance is adopted for the purpose of establishing that the City of Vernon Center will charge for all fire calls as allowed by MN Statutes 415.01, which authorizes a City to charge for fire service calls.

Section 2. Definitions

For the purposes of this ordinance, the following terms shall be interpreted as follows:

- a. Fire call shall mean any deployment of fire fighting personnel and/or equipment to provide fire suppression, extinguishing of a fire, the performance of any preventative measures in an effort to protect or preempt a fire or fire hazard or to protect equipment, life, or property in an area threatened by fire and to provide any other services related to fire that may occur.
- b. Motor vehicle shall mean 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 any vehicle propelled or drawn by a self-propelled vehicle. This includes semi trailers. It does not include snowmobiles, manufactured homes, all terrain vehicles, or park trailers.

Section 2. Parties Affected

- a. City of Vernon Center residents who receive fire service for any type of fire call.
- b. Township residents who receive fire service for any type of fire call and whose township has entered into a fire service contract with the City of Vernon Center.
- c. All fire calls in response to car accidents or fires where persons receiving service are either not residents of the City of Vernon Center or not residents of townships served by a fire contract with the City of Vernon Center.
- d. All fire calls in response to grass fires and other natural disasters as requested by the Department of Natural Resources and other state and federal government units.

Section 3. Rates

- a. The rate for fire service shall be determined by resolution of the City Council.

Section 4. Billing and Collection

- a. Parties receiving fire service for a fire call will be billed directly by the City of Vernon Center within thirty (30) days of the fire call. If the party receiving fire service does not initiate the contact for service but a fire or other situation exists which at the discretion of the Fire Department personnel in charge

requires fire service and qualifies as a fire call as defined in Section 1, that party will be charged for a fire call.

- b. In the case of a motor vehicle accident, if more than one motor vehicle is involved for which fire department service is provided, each motor vehicle owner will be billed an equal share of the fire service charge.
- c. The party(s) billed for fire service will have sixty (60) days to make payment and if payment is not received, the fees and charges billed will be considered delinquent.
- d. The City of Vernon Center will use all practical and reasonable legal means to collect billed fire calls. The party(s) receiving the fire service shall be liable for all costs of collection incurred by the City including, but not limited to, reasonable attorney fees and court costs.
- e. Billing will be directed by the City to the insurance carrier of the party(s) that receive the fire service. If the party(s) who receives the fire service refuses to submit the claim to their insurance carrier, the party(s) will be responsible for all fees and charges incurred.
- f. False alarms will be billed as a fire call unless the trucks do not leave the building.


Section 5. Mutual Aid Agreements


- a. Regarding fire calls where the City of Vernon Center provides mutual aid to another fire department, the associated billing will be determined by the Mutual Aid Agreement with that fire department.

Section 6. Effective Date

This ordinance shall be effective upon its passage and publication according to law.

Adopted ~~this~~ 7th day of December, 2004, by the City Council of the City of Vernon Center.


Justin Davis, Mayor


Patricia Krosch, City Clerk-Treas.