

ORDINANCE NO. 177

AN ORDINANCE ESTABLISHING FEES FOR EMERGENCY PROTECTION FIRE SERVICES

The City Council of the City of Ivanhoe ordains as follows:

Section 1. Purpose and Intent.

This ordinance is adopted for the purpose of authorizing the City of Ivanhoe to charge for fire services as authorized by Minn Stat. 366.011, 366.012 and 415.01.

Section 2. Definitions.

- (A) "Fire service" means any deployment of firefighting 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 firefighting personnel and/or equipment to provide fire suppression, rescue, extrication and any other services related to fire and rescue as many 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 or other City for the City to provide fire service.
- (E) "Mutual aid agreement" means an agreement between the City and a town or other City for the City's fire department to provide assistance to the fire department of a town or other City.

Section 3. Parties Affected.

- (A) Owners of property with the City who receive fire service.
- (B) Anyone who received fire service as a result of a motor vehicle accident or fire with the City.
- (C) Owners of property in towns or cities to which the City provides fire services pursuant to a fire protection contract.

Section 4. Rates.

The charge for a fire call is \$1000 for the first hour. Each additional hour will be billed at minimum wage per man hour.

Section 5. 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 by 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 part's insurance remains a debt of the party receiving the fire service.

- (B) Parties billed for fire service will have 45 days to pay. If the fire service 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 30 days after this 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 to, reasonable attorney fees and court costs.
- (D) If the fire service charge remains unpaid for 30 days after the notice of delinquency is sent, the City Council may also, on or before October 31 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 owner notice of its intent to certify the unpaid service charge by September 15.
- (E) False alarms won't be billed as a fire call.

Section 6. Mutual Aid Agreement.

When the Ivanhoe Fire Department provides the fire service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

Section 7. 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.

Section 8. Effective Date.

This ordinance shall become effective after it has been passed by the Ivanhoe City Council and published in the Ivanhoe Times.

Passed and adopted by the Ivanhoe City Council on the 22nd day of January, 2018.

Dennis Klingbile, Mayor

ATTEST:

Tammy Guza, Administrator