

CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF POSTING OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that on the 11th day of July, 2023, at its meeting, the Township Board amended the Oshtemo Charter Township Zoning Ordinance, by the adoption of Ordinance No. 655, which provides, in summary, as follows:

A General Ordinance to establish fees for certain Township emergency services; to provide methods for the collection of such fees; to provide for exemptions therefrom; and to repeal all ordinances or parts of ordinances in conflict herewith.

SECTION I. TITLE OF ORDINANCE.

This Ordinance shall be entitled the "Oshtemo Charter Township Fire and Emergency Services Fee Ordinance."

SECTION II. PURPOSE.

This Ordinance is adopted for the purpose of partially financing certain specified types of fire and emergency services enumerated herein furnished to persons who are neither residents nor owners of real property in Oshtemo Charter Township.

SECTION III. FIRE AND EMERGENCY SERVICES FEE.

A recipient or beneficiary of any of the enumerated fire emergency services set forth in Section IV of this Ordinance shall be responsible for payment to Oshtemo Charter Township of a fire and emergency services fee for the actual cost of providing such services in accordance with the provisions of this Ordinance, including, but not limited to, costs incurred for incident abatement, mitigation, clean-up, mutual aid, and stand-by service for the scene or incident. Such costs shall include, but are not limited to cost outlined in the Ordinance.

SECTION IV. SERVICES FOR WHICH FIRE AND EMERGENCY SERVICES FEE IS IMPOSED.

A fire and emergency services fee calculated in accordance with Section III of this Ordinance shall be imposed for Fire Department and other Township services rendered in response to the following types of emergency incidents causing attendance of Fire Department personnel

and/or equipment:

- A. Incident involving spills onto a public or private road by a vehicle or trailer of non-hazardous materials.
- B. Fires caused by the illegal presence at the site of methamphetamine.
- C. Emergency Fire Department stand-by requested by law enforcement at a site where methamphetamine or any other controlled substance is being illegally kept or produced.
- D. A vehicle accident involving an at fault driver who neither resides in the Township, nor owns real property within the Township.
- E. A grass, brush or debris fire or bonfire not authorized or permitted by Township ordinance.
- F. A fire or potential fire caused by a firework's display not authorized or permitted by township ordinance.
- G. A fire caused by proven or admitted arson.
- H. Emergency Fire Department standby requested by a public utility.

SECTION V. BILLING PROCEDURES.

Following the conclusion of the emergency incident, the Township Fire Chief shall submit a detailed listing of all known expenses and shall prepare an invoice to the responsible party(ies) for payment.

SECTION VI. EXEMPTIONS.

- A. Fires caused by railroad trains.
- B. Fire involving Township buildings, grounds, and/or property.
- C. Fire or other emergency service performed outside the jurisdiction of the Township.

SECTION VII. NON-EXCLUSIVE FEE.

The foregoing fee shall not be exclusive of the charges that may be made by the Township for the costs and expenses of maintaining a Fire Department, but shall only be supplemental thereto.

SECTION VIII. MULTIPLE BENEFICIARIES.

When emergency services benefit more than one person or property, the owner of each property

so benefited and each person so benefited shall be liable for the payment of the full charge for such service hereinbefore outlined.

SECTION IX. VIOLATION AND SANCTIONS.

Any person or entity who neglects or refuses to pay the foregoing fire and emergency services fee within forty-five (45) days of the billing for the same shall be deemed to have committed a municipal civil infraction

In addition to the above, the Township may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect fees imposed under this Ordinance.

SECTION X. SEVERABILITY.

Should any provision or part of the Ordinance be declared unenforceable, the same shall not affect the enforceability of the balance of this Ordinance.

SECTION XI. REPEAL.

All ordinances or parts of ordinances in conflict herewith are hereby repealed

SECTION XII. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon publication after adoption.

PLEASE TAKE FURTHER NOTICE that the full text of the Ordinance has been posted for public inspection at Oshtemo Township Hall located at 7275 West Main Street, Kalamazoo, Michigan, 49009, and on the Township's website: www.oshtemo.org.

PLEASE TAKE FURTHER NOTICE that said Ordinance will take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, Clerk
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