

CHAPTER 10

FEES FOR FIRE SERVICES

SECTION

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5-10-1: PURPOSE:

This ordinance is adopted for the purpose of authorizing the City of Lauderdale to charge for fire service as authorized by Minnesota Statutes Sections 366.011, 366.012, and 415.01.

5-10-2: DEFINITIONS:

As used in this Chapter, the following words and terms shall have the meanings ascribed to them:

BASE FIRE SERVICE: means fire services equal in cost to one fire department vehicle for up to two hours as defined by the City's contracted fire department.

FIRE SERVICES: 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, spill cleanup and containment, motor vehicle accident traffic control and clean up, and any other services for which the City's contracted fire department is called on to provide.

FIRE SERVICE FEE: means the charge imposed by the City for fire services provided.

MOTOR VEHICLE: means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways. It includes semi-trailers but it does not include snowmobiles, manufactured homes, all-terrain vehicles, or park trailers.

FIRE PROTECTION CONTRACT: means a contract between the City of Lauderdale and its contracted fire service provider.

5-10-3: PARTIES AFFECTED:

A. The following are subject to the fire service fees:

The person, firm, partnership, association, corporation, company, or organization of any kind which receives fire services as a result of a motor vehicle accident including, but not limited to, vehicle fires, vehicle extractions, vehicle fluid spills and responses to damage caused by vehicles to power or gas lines and other hazardous situations caused by an accident.

The person, firm, partnership, association, corporation, company, or organization of any kind which receives fire services as a result of damage to utilities, including but not limited to, cable, electrical, and gas lines.

The person, firm, partnership, association, corporation, company, or organization of any kind which receives fire services as a result of toxic or non-toxic chemical spills whether located on public or private property.

B. The following are not subject to the fire service fees:

Residential properties receiving calls for service.

5-10-4: FIRE SERVICE FEE:

Affected parties will be charged for fire services that exceed the cost to provide the base fire service. The cost of these additional fire services will be billed per the rate charged by the City's contracted fire department plus an administrative fee as set forth by the City Council from time to time.

5-10-5: BILLING AND COLLECTION:

A. Parties requesting and receiving fire services as defined in Section 5-10-3 shall be billed by the City. If the party receiving fire services did not request the fire services but the fire department personnel in charge determined the fire service to be necessary, 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 service charge not covered by a party's insurance remains a debt of the party receiving the fire services.

B. Fee Imposed: Upon receipt of a report that fire services were rendered, the City shall notify by mail the fire service user of the fee for the fire service. The fire service user shall have thirty (30) days after receipt of the notice to pay the fee required by this Section. If the fire service charge remains unpaid, the City will send a notice of delinquency. If the fire service charge remains unpaid 30 days after the notice of delinquency is sent to the recipients of the service or the recipient's representative or estate, the City may use any lawful means allowed to a private party for the collection of the unsecured delinquent debt. The party receiving the fire service shall be liable for all collection costs incurred by the City including, but not limited to, reasonable attorney fees and court costs.

C. If the fire service charge remains unpaid 30 days after the notice of delinquency, the City Council may certify the unpaid fire service charge to the county auditor in which the recipient of the fire services owns real property for collection with property taxes on or before October 15 of each year. 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 fire service charge by September 15.

Adopted by the Lauderdale City Council on October 22, 2013 and published in the Roseville Review on October 29, 2013.