

**PENINSULA TOWNSHIP
AMBULANCE AND FIRE SERVICE FEES ORDINANCE
Ordinance No. 44 of 2011**

AN ORDINANCE TO ESTABLISH FEES FOR AMBULANCE SERVICES AND FOR FIRE SERVICES RELATED TO EXPOSED OR DANGEROUS UTILITY SERVICES PURSUANT TO SECTION 6a OF ACT 33 OF THE PUBLIC ACT OF 1951, AS AMENDED (MCL 41.806a), TO PROVIDE EXEMPTIONS FROM AMBULANCE SERVICE FEES, AND TO PROVIDE METHODS FOR THE COLLECTION OF SUCH FEES

THE TOWNSHIP OF PENINSULA HEREBY ORDAINS:

Section 1. Purpose.

This Ordinance is adopted for the purposes of providing financial assistance to Peninsula Township for the operation of its ambulance service and for providing fire services related to protecting the public against exposed or dangerous utility services within the township.

Section 2. Fees for Ambulance and Utility Protection Services.

The Peninsula Township Board, after receiving a recommendation from the Peninsula Township Fire Board, shall establish by resolution fees for the ambulance services provided by the township, including but not limited to ambulance response and transportation fees, fees associated with care rendered, and fees for mileage expenses (hereinafter "Ambulance Service Fees"). The Peninsula Township Board, after receiving a recommendation from the Peninsula Township Fire Board, shall also establish by resolution fees for providing fire services related to protecting the public against exposed or dangerous utility services within the township, including the costs of maintaining vehicles and personnel at a dangerous utility incident, and fees for mileage expenses (hereinafter "Fire Utility Service Fees").

Section 3. Exemptions.

The above Ambulance Service Fees, however, shall not be imposed in the following circumstances:

- A. For ambulance calls when the patient refuses medical treatment,
- B. For ambulance calls when services are not needed,
- C. For ambulance calls when services are rendered to a resident of Peninsula Township, an owner of real property within Peninsula Township, or a family member (parent, child, grandparent, grandchild, or sibling) of a resident or owner of real property within Peninsula Township, to the extent that the fees are not paid by an insurer or other provider for that person.

Section 4. Billing Procedures.

The Ambulance Service Fees imposed pursuant to this Ordinance shall be billed and collected from the state or federal government under any applicable state or federal program, from other third party payers (including insurance companies), and from the individual, or the person legally responsible for that individual, to whom such services were provided. The Fire Utility Service Fees imposed pursuant to this Ordinance shall be billed and collected from the utility company whose utility service necessitates the fire services related to protecting the public against exposed or dangerous utility services. The billing and collection of the Ambulance Service and/or Fire Utility Service Fees may be done by township employees or pursuant to a contract between Peninsula Township and a person or entity who will provide these billing and collection services.

Section 5. Time for payment.

All Ambulance Service and/or Fire Utility Service Fees shall be due and payable to Peninsula Township, or its designated billing and collection agent, within thirty (30) days from the date the service is invoiced.

Section 6. Collection of Fees.

The township may proceed in district court or in any other court of competent jurisdiction by suit to collect any monies remaining unpaid and shall have any and all other remedies provided by law for the collection of the Ambulance Service and/or Fire Utility Service Fees.

Section 7. Non-exclusive Fees.

The foregoing Ambulance Service and/or Fire Utility Service Fees should not be considered the exclusive source of revenue for the Peninsula Township ambulance service and fire department, but should only be considered supplemental thereto. Revenue for the services may additionally be collected through general taxation after a vote of the electorate approving the same, or by a special assessment established under the Michigan statutes pertinent thereto. General fund appropriations from Peninsula Township may also be provided to the ambulance and fire department to cover additional costs and expenses for providing these services.

Section 8. Multiple property protection.

When ambulance services for which Ambulance Service Fees are imposed under this Ordinance directly benefits more than one person, then each person so benefitted, or the person legally responsible for that individual, shall be liable, jointly and severally, for the payment of the Ambulance Service Fees.

Section 9. Severability.

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

Section 10. Effective Date.

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the township.

PENINSULA TOWNSHIP

By: _____
Robert K. Manigold
Its: Supervisor

By: _____
Monica A. Hoffman
Its: Clerk