



ORDINANCE NO. 3

v1.3

AN ORDINANCE RELATING TO PREVENTION OF FIRES AND PROVIDING A SERVICE CHARGE FOR FIRE DEPARTMENT CALLS.

Whereas, the City Council has entered into a contract with the Contract Fire Department for furnishing its fire equipment and personnel for the purpose of extinguishing fires within the City of Pine Springs at stipulated rates to be paid by the City to said Contract Fire Department for use of such equipment and personnel, and the City Council deem it expedient to prevent, control and extinguish fires that provision be hereby made authorizing the fire department of the Contract Fire Department to enter upon private property within the City of Pine Springs for the purpose of extinguishing fires and obligating owners of property involved within the City to pay the service charges of said Contract Fire Department in case of fire, therefore,

The City Council of the City of Pine Springs ordains:

SECTION 1.

The officers and employees and any members of the Contract Fire Department are hereby authorized to enter upon private property within the City of Pine Springs for the purpose of extinguishing any fire in response to call.

SECTION 2.

In the event that the fire department of the Contract Fire Department shall respond to a call to extinguish a fire within the City of Pine Springs and the City of Pine Springs shall become liable to the Contract Fire Department for any service charge under its existing contract with the Contract Fire Department, the owner or owners of property on which such fire occurs shall be obligated to reimburse the City of Pine Springs for such sum as the City of Pine Springs shall be obligated under said contract to pay to the Contract Fire Department. This provision shall apply with equal effect to any modifications or extension of said contract with the Contract Fire Department or any contract hereafter entered into a substitution for said existing contract. Any said sum due from property owners in said City shall be due and payable 30 days after notice thereof specifying the amount chargeable, which notice is to be given in writing by the City Clerk.

If any property owner billed for fire service charges under the provisions of this ordinance fails to make payment as billed, the Clerk of the City shall, no later than October 1st following such billing, certify to the County Auditor the amount of such fire service bill and the said amount so certified shall be added to the property owners taxes for the ensuing year and shall be collected in the same manner as taxes are collected. Any money so collected by the County Treasurer, together with the payment of the owner's taxes, shall remit to the City the amount so certified by the City Clerk and collected with the taxes. Whenever any fire service charge is certified by the City Clerk to the County Auditor for collection pursuant hereto, the Clerk shall provide with such certification a certified copy of Section 2 of Ordinance No. 3 as hereby amended.

SECTION 3.

In the event that the City Council shall determine that property in the vicinity of a fire has been protected or saved from damage by the Contract Fire Department, the City Council may allocate such portion of the cost of the service charge made by the Contract Fire Department for such fire call to such property in the vicinity of the fire on such basis as it shall deem fair and just, and the owner or owners of such property shall be obligated to reimburse the City of Pine Springs for such sum as the City Council shall allocate to such property, same to be payable as prescribed in Section 2 hereof.

SECTION 4. PENALTY FOR FALSE ALARM

Any person who violates the provisions of this ordinance by falsely reporting a fire shall be guilty of a misdemeanor and punishable by a fine as defined in the "PENALTIES – false alarm" section of the City Ordinance Fee Schedule or imprisonment of not more than thirty (30) days or both.

SECTION 5.

This ordinance shall take effect from and after its publication.

Passed by the Council of the City of Pine Springs this 7th day of July, 1970.

Paul Linnerooth (signature)
Mayor

Attest:
R. G. Zietlow (signature)
Clerk.

Revision History

Ver.	Changes	Date Changed
1.0	Adopted by the City Council	Oct 4, 1960
1.1	Amended by Ordinance 3A	Jul 7, 1970
1.2	Amended by Ordinance 26	Nov 10, 2020
1.3	Amended by Ordinance 27	Dec 8, 2020