

ORDINANCE FOR TOWNS OF UNION, PORTER, MAGNOLIA

TOWN OF Union

ORDINANCE NO. 98-1

ORDINANCE CREATING FIRE PROTECTION RESPONSE FEE

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WHEREAS, Section 60.55(2)(b) of the Wisconsin Statutes, authorizes Towns to charge property owners a portion or all of the cost of fire protection; and

WHEREAS, it is in the public interest of the Town of Union ("Town") to charge the cost of such protection to real property owners and personal property owners; and

WHEREAS, fire protection for the Town of Union is provided by one or more Fire Districts ("Fire Districts"), each operating under separate agreement with the Town;

NOW, THEREFORE, the Town Board of the Town of Union, Rock County, Wisconsin, does ordain as follows:

Section 1 - STATUTORY AUTHORITY

(A) Pursuant to Sections 60.55, 60.555, 60.557, and 66.60 of the Wisconsin Statutes, the Town hereby establishes the following policy and procedure for the payment of Fire Protection Response Fees charged by Fire Districts operating under agreement with the Town.

Section 2 - FIRE PROTECTION RESPONSE FEE

(A) Real property owners and personal property owners for which fire protection is provided shall be responsible for the cost of fire protection responses made in connection with said property pursuant to the Fire Protection Response Fee Schedule ("Fee Schedule") adopted by separate resolution from time to time by said Fire Districts ("Fire Protection Response Fee").

(B) The Fee Schedule shall be available to the public for review from said Fire Districts and the Town Clerk.

(C) Notwithstanding any exemption from general taxation by the Town, all real and personal property shall be subject to said Fire Protection Response Fee.

(D) Real property owners and personal property owners shall be billed monthly by the Fire District for the Fire Protection Response Fee in accordance with said Fee Schedule. Such bills shall be payable directly to the Fire Districts. If such bills are not paid within ninety (90) days from the date of first billing, interest shall accrue thereon at the rate of one and one-half percent (1½%) per month (18% per annum).

Section 3 - SPECIAL CHARGE/COLLECTION PROCEDURE

(A) Unpaid Fire Protection Response Fees, including interest accrued thereon, remaining outstanding for more than ninety (90) days from the date of first billing as of October 1 of any year shall become a lien against the real property for which the fire protection was provided and shall be placed on the tax roll by the Town as a special charge against such real property for that year pursuant to Section 66.60(16) of the Wisconsin Statutes. Such special charges shall not be payable in installments.

(B) As an alternative to, and in addition to the provisions set forth above, the District may pursue any remedy available in law or in equity for the collection of unpaid Fire Protection Response Fees from real or personal property owners of the Town of Union.

Section 4 - APPEAL PROCEDURE

(A) Each Fire District operating under agreement with the Town shall adopt by appropriate resolution and follow an appeal procedure by which property owners may contest Fire Protection Response Fees. Each Fire District's appeal procedure shall clearly specify the procedure and time lines which are to be followed both by the property owner and the Fire District. Copies of such appeal procedure shall be available for review from each Fire District and the Town Clerk.

Section 5 - SEVERABILITY OF PROVISIONS

(A) If any section or provision of this Ordinance shall be declared invalid or unenforceable by a Court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 6 - EFFECTIVE DATE

(A) This Ordinance shall take effect from its passage and posting as provided by law.

PASSED AND ADOPTED this 15th day of January, 1998.

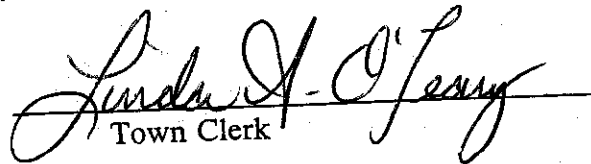
TOWN OF Union

By: Wayne D. Smith
Town Chairperson

By: Arnold J. Adams
Town Supervisor

By: Dean George
Town Supervisor

This Ordinance was filed in the Office of the Town Clerk and properly posted as required by law on the 28 day of January, 1998.


Town Clerk