TOWN OF NAVARINO - ORDINANCE NO. 2018-2 (Replaces Ordinance 4-97)

TOWN OF LESSOR - ORDINANCE NO. 2018-1

(Replaces Ordinance No. 4-95)

(Replaces Ordinance No. 4-95)

ORDINANCE ESTABLISHING FIRE PROTECTION CHARGES

WHEREAS. 1983 Wisconsin Act 532 authorizes Towns to charge property owners a portion or all of the costs of fire protection;

WHEREAS, it is in the public interest of the Town of Navarino and the Town of Lessor (Navarino/Lessor) to charge the costs of such protection to the property owners;

NOW, THEREFORE, the Town Board of Supervisors of the Towns of Navarino/Lessor do ordain as follows:

Section 1 - State Authority

Pursuant to Section 60.55, 60.555, and 60.557 of Wisconsin Statutes, the Towns of Navarino/Lessor, Shawano County, hereby establish the following policy and procedure for the payment of fire costs incurred by the Towns of Navarino/Lessor.

Section 2 - Purpose

This ordinance is enacted to ensure that persons most directly benefited by provision of emergency services pay toward their expense and reduce the burden on the general property taxpayer.

Section 3 - Liability for Fire Protection Costs

The property owners of real estate within the Towns of Navarino/Lessor for which fire protection is provided shall be responsible for the costs of the fire calls made to their property based upon the schedule of charges and rates established by the Navarino-Lessor Fire Department.

Section 4 - Exception to Liability

The liability for costs of fire calls as provided in Section 2 above shall not apply to owners of property along public highways or waterways for fire on open land for which the fire is of unknown origin not caused by the property owner. This exception is not intended to relieve the property owner or any other person of any Liability under Section 26.14 of Wisconsin Statutes.

Section 5 - Limit of Liability

Current or future contracts with the Department of Natural Resources are not covered by this Ordinance.

Section 6 - Vehicle Fire

Charges for fire protection in response to a vehicle fire or threat of fire are charged lo the vehicle owner who drove said vehicle or granted permission for another to drive it. Actual expenses for vehicle, labor and special materials will be billed back to said owner, along with any towing or disposal charge if the Town or its contracted department provided such service.

Section 7 – Rates

Unless another specific schedule is adopted, the Town will charge at the rate it is billed by a jointly operated fire department, charged under mutual aid provided by another department, or where the Town is lawfully billed by a contractor. Actual rates are set forth in such agreements and shown on billings related to service provided in response to particular residents.

Section 8 - Billing and payment Procedure

The costs of fire calls as outlined above shall be billed by the Navarino-Lessor Fire Department to the property owner and owner's insurance company and paid to the Treasurer of the Township.

Section 9 - Separability of Provisions

Should any section or provision or this ordinance be declared invalid, such decisions shall not affect the validity or the remaining portions or this ordinance.

Section 10 - Effective date

This ordinance shrill take effect from and alter it's passage and posting as provided by law.

Adopted this 13th day of November, 2018 Kevin Conradt, Chairman Delmar Zernicke, Chairman Town of Navarino Town of Lessor Steve Schinke, Supervisor Ken Holmes, Supervisor Town of Navarino Town of Lessor Josh Krull, Supervisor Dave Owens, Supervisor Town of Navarino Town of Lessor Judith Krull, Clerk Katie Sprangers, Clerk Town of Lessor Town of Navarino