

Summary/Synopsis of

**Ordinance No. 13 MANCELONA TOWNSHIP Fireworks Ordinance.**

Adopted: 01/18/99. Effective: 30 days after publication.

A summary/synopsis of the Ordinance follows:

SECTION I TITLE. The Mancelona Township Fireworks Ordinance.

SECTION II PURPOSE. To promote the health, safety and welfare by creating reasonable regulations regarding the existence, placement, storage, possession, transportation, use, detonation, discharge, deflagration, or combustion of fireworks or similar devices.

SECTION III DEFINITIONS. The following words, phrases or terms are defined in this Section: Fireworks; Class B fireworks; Class C fireworks; Person.

SECTION IV PROHIBITION. Except as provided in Section V, a person shall not sell, possess, furnish, transport, use, detonate, or explode fireworks or similar devices as defined in Section III or set forth in this Section, subject to the exceptions listed herein.

SECTION V PERMITS. The Township Board may, upon proper application, grant a permit for the display or discharge of fireworks manufactured for public display or for outdoor pest control or agricultural purposes otherwise prohibited by this Ordinance. The application and permit shall be on forms prepared by the Department of State Police. The applicant must meet all the requirements set forth in this Ordinance before any permit can be granted.

SECTION VI TRANSPORTATION. Establishes requirements for transportation of fireworks or similar devices within the Township.

SECTION VII STORAGE. Establishing requirements for storage of fireworks within the Township.

SECTION VIII PENALTY. Misdemeanor punishable by fine of not more than \$500 and/or jail not exceeding 90 days for each violation.

SECTION IX ENFORCEMENT. The Township Supervisor and/or the Township Fire Chief are authorized to enforce this Ordinance and to summarily revoke any permit issued pursuant to this Ordinance in the event persons or property are in danger. Prosecution shall be commenced by Appearance Ticket issued by a Township constable or law enforcement officer.

SECTION X SEPARATE COURT ACTION. Any interested party may seek separate relief.

SECTION XI VALIDITY. Any invalid sections do not effect the remaining sections of this Ordinance.

SECTION XII REPEAL. Any ordinance or resolution conflicting with this Ordinance is repealed upon the effective date of this Ordinance.

SECTION XIII EFFECTIVE DATE. 30 days after publication.

The publication of the summary/synopsis of this Ordinance is intended to meet the requirements for publication as provided by law. No further publication is required or contemplated. This summary/synopsis is not exhaustive of all provisions and requirements of this Ordinance. A true and complete copy of this Ordinance can be inspected or obtained at the office of the Clerk, 202 W. State, Mancelona, Michigan 49659.

MANCELONA TOWNSHIP

Margaret Chapman, Mancelona Township Clerk

**FIRE DEPARTMENT CHARGES ORDINANCE**

**TOWNSHIP OF MANCELONA**

**COUNTY OF ANTRIM, STATE OF MICHIGAN**

**ORDINANCE NUMBER 13A**

**Adopted:** June 19, 2000

**Effective:** June 29, 2000

**FIRE CHARGES ORDINANCE**

An Ordinance to establish charges for fire department services under *Public Act 33 of 1951*, as amended (*Compiled Law 41.801, etc.*) and *Michigan Public Act 246 of 1945*, as amended, and to provide methods for the collection of such charges and exemptions therefrom.

**TOWNSHIP OF MANCELONA**

**Antrim County, Michigan**

**ORDAINS:**

**SECTION I**

**TITLE**

This Ordinance shall be known as the Mancelona Township Fire Department Charges Ordinance.

**SECTION II**

**PURPOSE**

The purpose of this Ordinance is to provide financial assistance to the Township in the operation of a fire department from those receiving direct benefits from the fire department protection services. It is the further purpose of the within Ordinance to help provide for full funding of the fire department operation which remain, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the Township from the existence of a township fire department and its availability to extinguish fires within the Township and perform other emergency services.

**SECTION III**

**CHARGES**

The following charges shall hereafter be due and payable to the Township of Mancelona from a recipient of any of the following enumerated services from the Township fire department:

A.	Automobile fire	\$ 100.00
B.	Automobile fire with use of foam	\$ 200.00
C.	House fire	\$ 500.00
D.	Fire in a commercial establishment	\$ 1,000.00*
E.	Fire in an industrial or manufacturing establishment	\$ 1,000.00*
F.	Fire in a multiple-family building	\$ 1,000.00*
G.	Hotel or motel fire	\$ 1,000.00*
H.	Aircraft fire	\$ 1,000.00*
I.	Train fire	\$ 1,000.00*
J.	Truck fire	\$ 200.00
K.	Emergency rescue service (automobile)	\$ 250.00
L.	Emergency rescue service (home)	\$ 150.00
M.	Resuscitator service	\$ 100.00
N.	Swimming pool service	\$ 50.00 <i>Handwritten: - 100 = Noted</i>
O.	House burning permit	\$ 1,000.00*

An additional charge of \$ 100.00 shall be added to the above whenever fire-retardant foam is used. Charges for services not listed

above shall be determined by the Mancelona Township Fire Chief subject to appeal, within the time limits for payment, to the Mancelona Township Board.

\* These are minimum amounts which shall be increased at the rate of \$ 250.00 per hour after the first four (4) hours.

#### **SECTION IV**

##### **TIME FOR PAYMENT**

All of the foregoing charges shall be due and payable within thirty (30) days from the date that the service is rendered and in default of payment shall be collectible through proceedings in district court or in any court of competent jurisdiction as a matured debt.

#### **SECTION V**

##### **EXEMPTIONS**

The following properties and services shall be exempt from the foregoing charges:

- A. False alarms; unless two (2) prior false alarms were received at the same location, building, or complex within the preceding twelve (12) months;
- B. Fires caused by railroad trains which are the specific statutory responsibility of railroad companies;
- C. Fire involving township building, grounds and/or property
- D. Fire service performed outside the jurisdiction of the Township under a mutual aid contract with an adjoining municipality.

#### **SECTION VI**

##### **COLLECTION OF CHARGES**

The Township may proceed in district court by suit to collect any monies remaining unpaid and shall have any and all other remedies provided by law for the collection of said charges. All revenues received by the Township pursuant to this Ordinance shall be kept in a separate

fund and account designated solely for the Mancelona Township Fire Department.

## **SECTION VII**

### **NON-EXCLUSIVE CHARGE**

The foregoing rates and charges shall not be exclusive of the charges that may be made by the Township for the costs and expenses of maintaining a fire department, but shall only be supplemental thereto. Charges may additionally be collected by the Township 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 may also be made to cover such additional costs and expenses.

## **SECTION VIII**

### **MULTIPLE PROPERTY PROTECTION**

When a particular service rendered by the Township Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is not involved shall be liable for the payment of the full charge for such service hereinbefore outlined. The interpretation and application of the within section is hereby delegated to the Township fire chief subject to appeal, within the time limits for payment, to the Township Board and shall be administered so that charges shall only be collected from the recipients of the service.

## **SECTION IX**

### **SEVERABILITY**

Should any provision or part of the within 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 X**

**AUTHORIZATION**

The Township Fire Chief or the Township Supervisor are hereby authorized to enforce this ordinance. The Township Supervisor may delegate the enforcement of this ordinance to the Township treasurer, the Township attorney, or any other delegatee permitted by law.

**SECTION XI**

**SEPARATE COURT ACTION**

Nothing in this Ordinance shall prohibit the Township or any interested party from seeking such other relief as may be permitted by law or in equity.

**SECTION XII**

**EFFECTIVE DATE**

This Ordinance shall become effective immediately after publication. All resolutions, ordinances or parts of ordinances in conflict herewith are hereby repealed.

Dated: June 19, 2000

  
MARGARET CHAPMAN  
Mancelona Township Clerk

**MANCELONA TOWNSHIP**

**ORDINANCE CERTIFICATION**

At a regular meeting of the Township Board, Township of Mancelona, Antrim County, Michigan, held in the Mancelona Township Hall, located at 202 W. State St., Mancelona, Antrim County, Michigan, on June 19, 2000, at 7:00 p.m.:

PRESENT: Charles Johnson, Yousef Jabara, Gerald Patrick, Margaret Chapman, and C. Sue Robinson

ABSENT: none

Ordinance No. 13, the Fire Department Charges Ordinance, was considered by the Board and upon motion made and seconded, the Township Board duly adopted said Ordinance upon the following vote:

YES: Charles Johnson, Yousef Jabara, Gerald Patrick, Margaret Chapman, and C. Sue Robinson

NO: none

I, Margaret Chapman, as Mancelona Township Clerk, hereby certify that said Ordinance was adopted by the Mancelona Township Board at said meeting as set forth above; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act; that a copy of said Ordinance was published in the Antrim County News on June 28, 2000, and that a true and complete copy of said Ordinance can be inspected or obtained at the office of the Mancelona Township Clerk in the Mancelona Township Hall.

  
MARGARET CHAPMAN, Clerk  
Mancelona Township

TOWNSHIP OF MANCELONA

RESOLUTION CHANGING CERTAIN FIRE DEPARTMENT CHARGES

SET FORTH IN **ORDINANCE 13A**

WHEREAS, the Board of Mancelona Township, Antrim County, Michigan, in exercising its responsibilities has determined that the charge of \$ 50.00 to fill a swimming pool as set forth in Ordinance 13A is insufficient to cover the expenses thereof, and now;

THEREFORE, BE IT RESOLVED, that the charge to fill a swimming pool as set forth in Section III N. of Ordinance 13A is hereby changed from \$ 50.00 to \$ 100.00 effective July 18, 2000.

At a regular meeting of the Township Board, Township of Mancelona, Antrim County, Michigan, held in the Mancelona Township Hall, located at 202 W. State St., Mancelona, Antrim County, Michigan, on July 17, 2000, at 7:00 p.m.:

PRESENT: Sue Robinson, Charles Johnson, Yousef Jabara, Gerald Patrick and Margaret Chapman

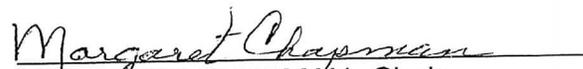
ABSENT: none

TOWNSHIP OF MANCELONA RESOLUTION CHANGING CERTAIN FIRE DEPARTMENT CHARGES SET FORTH IN **ORDINANCE 13A** was considered by the Board and upon motion made and seconded, the Township Board duly adopted said Resolution upon the following vote:

YES: Sue Robinson, Charles Johnson, Yousef Jabara, Gerald Patrick and Margaret Chapman

NO: none

I, Margaret Chapman, as Mancelona Township Clerk, hereby certify that said Resolution was adopted by the Mancelona Township Board at said meeting as set forth above; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act; and that a true and complete copy of said Resolution can be inspected or obtained at the office of the Mancelona Township Clerk in the Mancelona Township Hall.

  
MARGARET CHAPMAN, Clerk  
Mancelona Township