

236.02 - FALSE ALARM COST RECOVERY.

- (a) Title. This section shall be known and referred to as the "Fire Authority Special Circumstances Response Cost Recovery Ordinance."
- (b) Purpose.
- (1) The Coopersville-Polkton Fire Authority recognizes that chemical fires in a commercial building will, due to the corrosive nature of such fires, destroy and render unusable otherwise functional equipment above and beyond any normal wear and tear associated with nonchemical fires. The costs of having to replace Fire Department equipment damaged beyond use because of a chemical fire in a commercial setting should be borne by the party or parties benefiting therefrom.
- (2) Where the Coopersville-Polkton Fire Department is asked to respond to recurring false alarms from a monitored electronic security system at a single location, the costs of responding regularly, and beyond a certain number of responses at any one location, shall be borne by the party or parties owning or in possession of the property from which the false alarms emanate.
- (c) Chemical Fires in a Commercial Building. In the event of a chemical fire in a commercial building or on property used for commercial purposes, as opposed to residential or agricultural purposes, the owner and/or lessee of the address, building or location shall be responsible to Coopersville-Polkton Fire Authority for the full replacement costs of any equipment which before the fire was functional, undamaged, nonobsolete and capable of being reused for future fires without repair and which became damaged and essentially unusable again as a direct result of the corrosive nature of the chemical fire, improper, negligent or illegal storage of the chemicals. The owner and/or lessee of the address, building or location shall not be responsible to the Coopersville-Polkton Fire Authority for the replacement costs of any equipment, due to damage that may be caused by any action caused by the Coopersville-Polkton Fire Department that is beyond the control of the owner and/or lessee of the address, building or location.
- (d) False Alarms. In the event that the Coopersville-Polkton Fire Department is summoned to respond to a particular address or location more than three times in any one calendar year for a false alarm received in connection with a monitored electronic security system, the party or parties owning or in possession of the property from which the false alarms emanate shall be liable to the Coopersville-Polkton Fire Authority for the costs of the Coopersville-Polkton Fire Department's response as set, from time-to-time, by Resolution of the Coopersville-Polkton Fire Authority.
- (e)

Billing, Payment/Appeals. Following a response and/or services for which a party or parties are responsible, the Fire Chief shall submit a detailed listing of all known expenses to the Coopersville-Polkton Fire Authority. The Coopersville-Polkton Fire Authority shall prepare and send a bill by first-class mail to the responsible party as soon as practicable thereafter. The responsible party shall make full payment within thirty days of the date of the mailing of the bill. Any additional expenses that become subsequently known following the transmittal of the bill shall be billed in the same manner as a supplemental bill and payable within thirty days of mailing thereafter. Where an incident involves more than one responsible party, all such parties shall be jointly and severally liable for the full amounts. For any amount due and owing and unpaid after thirty days of mailing, the Fire Authority shall impose a late charge of one percent per month or fraction thereof.

Any person receiving a bill may appeal to the Coopersville-Polkton Fire Authority, within the time limits for payment, and to what extent that individual is responsible for payment. During the appeal process, no interest will net accessed.

- (f) Failure to Pay; Procedure to Recover Costs. The charges incurred for responding to any fire or suspected criminal activity which remains unpaid after thirty days of mailing shall be a lien against the premises to which the Coopersville-Polkton Fire Department responded and shall be collectible in the same manner as real property taxes.
- (g) Nonexclusivity of Remedies. In addition to the remedies set forth hereinabove, the Coopersville-Polkton Fire Authority may pursue any and all other remedies permitted by law to collect the charges referenced herein. If the Coopersville-Polkton Fire Authority is required to institute suit to collect these charges and is successful in obtaining a judgment against the responsible party or parties, that judgment shall include interest at the statutory rate, costs of litigation and actual attorney's fees incurred by the Fire Authority.

(Ord. 441. Passed 9-12-11.)