

**TOWNSHIP OF WELLS**  
**Tuscola County, Michigan**  
**FIRE PROTECTION AND FIRE RUN CHARGE ORDINANCE**  
**Ordinance 21-7**

An ordinance to protect the public health, safety, and welfare by providing for the control of fires which may threaten life and property; to charge a fee, to prohibit the turning in of false fire alarms, authorize the setting of fees for protection services, the collection of fire run fees, and to repeal the prior fire run charge ordinance.

**THE TOWNSHIP OF WELLS ORDAINS:**

**Section 1: Setting Fires**

No person or persons shall make any fire or burn any materials within the township except under the regulations of the Natural Resources and Environmental Act 451 of 1994 and associated rules.

A person or persons may make a fire within the township as long as the person or persons are attending the fire and sufficient precautionary measures have been taken to prevent the fire from burning out of control and a burning permit has been issued by the appropriate fire department that the township has contracted with for fire department services.

Only the property owner may apply and receive a burning permit from the appropriate contracted fire department.

Any person who sets a fire in violation of the provisions of this Ordinance shall be liable for the fees and costs established pursuant to Section 4 for any fire run made by the contracted fire department.

**Section 2: False Alarms**

No persons shall cause a fire alarm to be turned in unless he has good cause to believe a fire exists or unless he has notified the contracted fire department that a fire alarm will be turned in pursuant to testing, repairing, or otherwise working on a fire alarm system.

Any person who has a fire alarm system on his premises shall maintain such alarm system so that no false alarms are inadvertent transmitted to the fire department from such fire alarm system.

Any person who in violation of this section shall be liable for the fees and costs established pursuant to Section 4 for any fire run made pursuant to the false alarm.

**Section 3: Liability for Property Protection**

The owner and/or responsible party of personal property, including motor vehicles and public utility companies which own utility lines or other facilities within the township shall be liable for any applicable fees and costs established pursuant to Section 4 for the fire run provided by the contracted fire department.

**Section 4: Fees and Cost Recovery**

Anytime the contracted fire department is called out to the township for a fire department service, the property owner and/or responsible party will be charged a fire run fee. Fire run fees shall be charged in accordance with a resolution adopted by the township board and may be amended from time to time.

**Section 5: Delinquent Fire Run Fees**

Any fire run fees and/or costs which remain unpaid for ninety (90) days after being mailed to the responsible party may be assessed on the property tax bill for the property which the fire run attempted to protect.

In the event the responsible party does not own property within the township, any charges not paid or any remaining unpaid balances shall be sent to a collection agency or any other remedies provided by law for the collection of said charges and a collection fee of 35% will be added on to the unpaid balance due once your bill has been sent to the collection agency.

**Section 6: Enforcement**

Any person, entity or corporation who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction, subject to payments of a civil fine of not less than six hundred (\$600), plus costs and other sanctions, for each infraction. Repeat offenses under this Ordinance shall be subject to increased fines as provided for the Wells Township Civil Infraction Ordinance.

Any person, entity or corporation who fails to pay the full amount of any fees and cost recovery charged pursuant to this Ordinance shall be subject to collection action through the District or Circuit Courts and shall be responsible for all cost and reasonable attorney fees associated with the enforcement and collection actions.

**Section 7: Severability**

Should any part or provision of this Ordinance be declared to be invalid or unenforceable by a court of competent jurisdiction, said declaration shall not affect the validity enforceability of the balance of this Ordinance which shall remain in full force and effect.

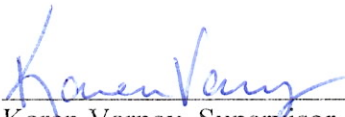
**Section 8: Repeal of Prior Ordinance**

The former Wells Township Fire Run Charge Ordinance No 07-11.1 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 9: Enactment and Effective Date**

This Ordinance was adopted by the Wells Township Board at a regular meeting held on the 9<sup>th</sup> day of September, 2021 and was published in the Tuscola County Advertiser on the 29<sup>th</sup> day of September, 2021. This Ordinance becomes effective thirty (30) days after said date of publication.

  
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Kristin Wright, Clerk

  
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Karen Varney, Supervisor