

## Deerfield Township #1-2020

### Emergency Incident Reimbursement Ordinance

#### Section I: Purpose

- A. In order to protect Deerfield Township from incurring extraordinary expenses resulting from the utilization of township resources to respond to an emergency incident, the township board authorizes the imposition of charges to recover reasonable and actual costs incurred by the township in responding to calls for assistance in connection with an emergency incident.

#### Section II: "Emergency Incident" Defined

- A. For the purpose of this ordinance, "emergency incidents" include, but are limited to, hazardous material incidents including releases, down electric lines, broken gas mains, assisting any utility company public or private, and any other incident that the fire department may respond to which is in the best interest of the health and safety of the citizens of the township.

#### Section III: "Hazardous Materials" defined

- A. For the purposes of this ordinance, "hazardous materials" include, but are not limited to a chemical that is a combustible liquid, a flammable gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, toxin, poisonous material, electrical hazard, unstable reactive or water reactive.

#### Section IV: "Release" Defined

- A. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, leaching, dumping, or disposing into the environment.

#### Section V: "Responsible Party" Defined

- A. Any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity, or any other legal entity that is responsible for the emergency incident or for the release of a hazardous material, either actual or threatened, or is an owner, tenant, occupant, or party in control of property onto which an emergency incident occurs or from which hazardous materials release.

#### Section VI: Charges Imposed Upon Responsible Party

- A. Where the township fire department respond to a call for assistance in connection with an emergency incident, actual costs incurred by the township responding to such a call shall be imposed upon the responsible parties, including, but not limited to:
  - i. \$75.00 per hour, for each departmental vehicle required to respond to and/or stand by at the emergency incident.

- ii. All personnel related costs incurred by the township as a result of responding to the emergency incident at the sum of \$20.00 per hour for each individual.
- iii. Other expenses incurred by the township in responding to the emergency incident, including but not limited to, rental or purchase of machinery, equipment, labor, consultants, legal and engineering fees, and the replacement costs related to disposable personal protective equipment, extinguishing agents, supplies, water purchased from municipal water systems and meals and refreshments for personnel while on the scene of an emergency incident.
- iv. Charges to the township imposed by a local, state, or federal government entities related to the emergency incident.
- v. Costs incurred in accounting for all emergency incident-related expenditures, including billing, collection costs, and/or litigation fees.

#### Section VII: Billing Procedures

- A. The Fire Department shall submit a detailed listing of all known expenses to the responsible party for payment within 30 of the bill receipt. Any additional expenses that became known to the township of fire chief following the transmittal of the bill to the responsible party shall be billed in the same manner on a subsequent bill to the responsible party. For any amounts due that remain unpaid after thirty (30) days, the township shall impose a late charge of one percent (1%) per month, of fraction thereof.

#### Section VIII: Other Remedies

- A. The township may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect charges imposed under this ordinance. The recovery of charges imposed under this ordinance does not limit liability of responsible parties under local ordinance or state or federal law, rule or regulation.

#### Section IX: Severability

- A. 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 effect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

#### Effective Date:

This ordinance shall take effect thirty days after publication. All ordinances or parts of ordinances in conflict are hereby repealed.

Ordinance Certification

Ordinance 1 of 2020 for Deerfield Township

Adopted January 9, 2020 at Regular Board Meeting

Motion by Lambrix sup by Lingle. Roll call vote. Carey-yes. Aldrich-yes. Lingle-yes. Lodden-yes. Lambrix-yes.

This ordinance was published in the Big Rapids Pioneer on \_\_\_\_\_

Filed with the County Clerk on \_\_\_\_\_

CERTIFICATION

I, Julie Aldrich, being the clerk of Deerfield Township Board adopted ordinance #1-2020 known as the De4erfield Township EMERGENCY INCIDENTREIMBURSEMENT ORDINACE, at the Regular Board Meeting and publishing requirements were met according to the dates set above.

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Julie Aldrich, Deerfield Township Clerk