

**ORDINANCE NO. 2010 - 2
TOWN OF RIVER FALLS**

**AN ORDINANCE AUTHORIZING RECOVERY OF FIRE DEPARTMENT
RESPONSE FEES**

An Ordinance to amend Section 3.10 of the General Code of Ordinances of the Town of River Falls.

WHEREAS, the Town of River Falls is a member of the River Falls Rural Fire Association, which Association receives fire protection services from the City of River Falls; and

WHEREAS a new contract for fire protection services has been entered between the City and the Rural Fire Association; and

WHEREAS the Town Board has reviewed Section 3.10 and determined it is expedient and necessary to make certain changes thereto, some of which are a necessary response to the new fire contract;

NOW THEREFORE, the Town Board of the Town of River Falls does hereby ordain as follows:

Section 1. Section 3.10 of the General Code of Ordinances of the Town of River Falls is amended to read as follows:

"3.10 FIRE PROTECTION CHARGES.

(1) **STATE AUTHORITY.** Pursuant to Wis. Stats. Section 60.55, 60.557 and 66.0627, the Town hereby establishes the following policy and procedure for the payment of fire costs incurred by or billed to the Town for fire department calls to public and/or private real and personal property located in the Town. It is intended that by the procedure established hereunder the Town shall fully recover the amounts billed to it for fire department response calls to public and/or private real and personal property located in the Town in those instances when the response is to a call from, or to the property of, the property owners who are the subject of the call.

(2) **LIABILITY FOR FIRE PROTECTION COSTS.** The owners of real or personal property within the Town for which fire protection is provided, and for which the Town is charged by any responding fire department, shall be responsible for the full costs of the fire calls made to their property

as established in the list of current charges (fee schedule) of the River Falls Rural Fire Association, as from time to time established by the Association and/or City of River Falls.

(3) **LIABILITY FOR FIRES INTENTIONALLY STARTED.** Every property owner who plans to intentionally start a fire for any purpose on his/her/their property must have a valid and current Town of River Falls Annual Burning Permit and must abide by all guidelines set forth in the permit, including, but not limited to, the obligation to notify the Pierce County Non-Emergency Dispatch Office of the Pierce County Sheriff Department before any such fire is started and shall only allow such fire to burn in accordance with any additional instructions received from the Pierce County Non-Emergency Dispatch at the Pierce County Sheriff Department. The property owner shall be responsible for all costs of any fire department call made in response to any such intentionally started fire, even where the response is accidental and/or not necessary.

(4) The Town shall submit a claim for the full cost of the fire department response to each property owner whose property is involved in the incident giving rise to the call. Claim shall be made for the full amount set forth in the fee schedule that has been established by the City of River Falls and River Falls Rural Fire Association, as is from time to time amended. The fee schedule is incorporated herein by reference as though made a part hereof. Where the fee schedule establishes a cost for services less than the actual cost billed to the Town for the fire department response call, claims shall be made for the actual cost incurred by the Town. The failure to pay the bill within ninety (90) days will result in interest being charged at the rate of 1.5% per month from the date of the bill. Any bill outstanding, including interest, for more than ninety (90) days as of November 1 from any year shall become a lien against the real estate for which fire protection was provided and shall be placed on the tax roll as a delinquent special charge against the real property for the fire department response call to that property, pursuant to Wis. Stats. Section 60.0627. The bill issued to a property owner, and the terms of this Ordinance, shall constitute reasonable Notice to the owner of the Town's intent to make and levy a special charge against real property for a fire department response call to that property, pursuant to Wis. Stats. Section 60.0627(3)(a). It shall be the responsibility of the property owner to submit the bill to its insurance carrier.

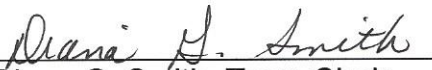
(5) **MOTOR VEHICLE ACCIDENT RESPONSE CALLS.** The owners of motor vehicles involved in a motor vehicle accident, located in the Town when the fire department response call occurs shall be responsible, jointly and severally, for the full cost of the fire department response call. It shall be the responsibility of the vehicle owner to submit the bill to its insurance carrier. When the Town has the vehicle owner's insurance carrier

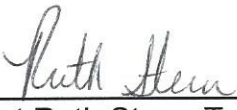
information available a copy of the bill shall be sent to the insurance company. The vehicle owner(s) shall be liable for the full amount of the fire department response call where such call, or any portion thereof, is not paid. The failure to pay the bill within ninety (90) days will result in interest being charged at the rate of 1.5% per month from the date of the bill. Fire department response calls made to County or State Trunk Highway rights-of-way in the Town, where no private insurance payment is available, shall be processed as highway fire call reimbursement requests pursuant to Wis. Stats. Section 60.557. The cost of fire department response calls to Town Road rights-of-way where no private insurance is available, and where the vehicle owners have failed to pay such call, shall be paid with taxes levied on all property in the Town to pay for fire protection, pursuant to Wis. Stats. Sec. 60.55(2)(c)."

Section 2. This Ordinance shall take effect upon passage and publication.

Passed and adopted this 20th day of December, 2010.

TOWN OF RIVER FALLS BY:


Diana G. Smith, Town Chair


Attest Ruth Stern, Town Clerk

Posted at the River Falls TownHall, Town Shop and Town Clerk's Office on Monday, January 3, 2011.

**TOWN OF RIVER FALLS
RESOLUTION # 2012-G**

**A RESOLUTION SETTING AMOUNTS OF RECOVERABLE FIRE DEPARTMENT
RESPONSE FEES**

WHEREAS the River Falls Rural Fire Association has increased the cost for fire calls and related emergency responses by the River Falls Fire Department, effective January 1, 2013,

THEREFORE BE IT RESOLVED that the following fees are authorized and will be made a part of the Town of River Falls Fee Schedule:

All fire department calls, specifically including building fire, grass fire, vehicle fire, vehicle extrication, false alarms, and rescues

\$800.00 base call, plus actual cost of any other expenses as determined by River Falls Fire Department

Vehicle Accidents

1 Vehicle - \$800.00*
2 Vehicles - \$600.00/each*
3 Vehicles - \$500.00/each*

*Plus actual cost of any other expenses as determined by River Falls Fire Department

Hazardous materials response

Minimum charge of \$800.00 or such greater amount for actual costs as may be charged for the specific call by the responding fire department(s).

Damage to equipment due to inadequate driveway maintenance.

Actual cost, net after applying available insurance coverage received.

Resolution approved by action of the River Falls Town Board on December 17, 2012.

Signed: Diana L. Smith
Town Chair

Attest: Kath Steen
Town Clerk

This resolution is enacted to facilitate collection and recovery by the Town of the cost of fire department response calls to specific events and locations in the Town, and is authorized by Wis. State Statutes 60.55(2)(b).

Posted: 12/27/12