

**WEST TRAVERSE TOWNSHIP
EMMET COUNTY, MICHIGAN**

**FALSE ALARM COST RECOVERY ORDINANCE
ORDINANCE NO. 2009-01**

An ordinance to establish charges for certain false alarms that generate fire department response and to provide methods for collecting those charges, pursuant to Public Act 33 of 1951, as amended (MCL 41.801, et seq.)

THE TOWNSHIP OF WEST TRAVERSE, EMMET COUNTY, MICHIGAN,
ORDAINS:

Section 1: Purpose

This ordinance is adopted to enable the township to bill for and collect certain cost recovery charges from owners or occupants of premises within the township that have repeated false alarms generating fire department responses from the Harbor Springs Area Fire Authority, of which the township is a member. This ordinance is intended to be applied to persons, businesses, or entities, that do not properly train operators of an alarm system, or when an alarm system is improperly installed or maintained, or when alarms are called in through repeated careless actions. It is also intended to defer the actual costs to the township of a fire department run, which are in excess of the costs being recovered. It is further intended to reduce unnecessary demands for response by volunteer firefighters, thereby enhancing the ability to recruit and retain such essential personnel.

Section 2: Definition for False Alarm

For purposes of this ordinance, a False Alarm is defined as a call in to the CCE Central Dispatch Authority (i.e. 911 Call Center) for response by the Harbor Springs Area Fire Authority that is caused by operator error, equipment malfunction, or by repeated carelessness by owners or occupants of any property within the township.

Section 3: Cost-Recovery Charges

The following charges are due and payable to the Harbor Springs Area Fire Authority on behalf of the township for False Alarms within any calendar year:

1st False Alarm – no charge

2nd False Alarm - \$400

3rd and further False Alarms - \$500

These charges may be adjusted from time-to-time by resolution of the West Traverse Township Board upon recommendation by the Harbor Springs Area Fire Authority.

Section 4: Time for Payment for Run

The foregoing charges are due and payable within 30 days from the date a statement is issued by the Harbor Springs Area Fire Authority for such charges.

Section 5: Collection of Charges

The township may proceed in state district court by suit to collect any monies remaining unpaid from a responsible party and shall have any and all other remedies provided by and subject to law for the collection of said charges.

Section 6: Waiver of Charges

Upon request to the township board and the submission of information detailing the causes of any false alarms and the efforts undertaken to avoid the recurrence of such false alarms, the township board may but is not required to waive the imposition of a False Alarm charge.

Section 7: Severability

If any provision or part of this ordinance is declared invalid or unenforceable by a court of competent jurisdiction, the validity or enforceability of the balance of the ordinance is not affected and remains in full force and effect.

Section 8: Effective Date

This ordinance shall become effective on the day following the publication of the ordinance or a summary thereof. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

CLERK'S CERTIFICATION

I hereby certify this Ordinance was adopted by the West Traverse Township Board at a regular meeting held on February 10, 2009, and that the vote was as follows:

FOR:

AGAINST

I further certify this Ordinance or, a summary thereof, was published in the _____ newspaper on _____, 2009.

Cynthia Fisher, Clerk
West Traverse Township