

INTEGRATED ORDINANCE

The Town Board of the Town of Wescott ordains as follows:

1. **AUTHORITY.** The town acts pursuant to its village powers authority and fire administration powers granted under the Wisconsin Statutes, including s. 60.55(2)(b); s. 66.0627; and s. 26.14.

2. **PURPOSE.** This ordinance is enacted to ensure that persons most directly benefited by provision of emergency services contribute toward their expense and reduce the burden on the general taxpayer.

3. **CHARGES FOR SERVICE.** The town board adopts the following policies with regard to the type of service rendered:

WILD FIRE. As set forth in Chapter 26, the costs of fire protection for a wild fire shall be charged back to the owner(s) whose property is directly protected by the fire service. If more than one property is protected, each shall receive a portion of the total charge for service, which shall be by equal fraction unless the fire department billing or statement to the town clerk specifies more exactly the protection afforded to each. In the event the wild fire was not intentionally set by the owner or occupant of any such property, or if the fire was intentionally started on the land of another by that owner, occupant or trespasser, such owner being charged will never be billed over \$500.00. Where not intentionally set under these terms, or set on land of another where the owner had no control, only labor charges will be billed.

OTHER FIRES. The owner of any property served shall pay the entire cost of labor including standby firefighters, non-water material used in such fire protection and equipment rented or used for the specific fire being billed, supplied by another department, municipality or business. If more than one property is protected, each owner shall be liable for a portion of the total charge for service, which shall be by equal fraction unless the fire department billing or statement to the town clerk specifies more exactly the protection level or costs afforded to each parcel.

JAWS. In the event the JAWS unit is utilized or brought to the scene for removal from a vehicle or structure, this charge shall be billed to the owner. This charge is in addition to the fire call billing limits set forth herein, when both types of services occur.

VEHICLE FIRE. Charges for fire protection in response to a vehicle fire or threat of fire are charged to the vehicle owner who drove said vehicle or granted permission for another to drive it. Actual expenses for vehicle, labor and special materials will be billed back to said owner, along with any towing or disposal charge if the town or its contracted department provided such service.

AMBULANCE. Charges lawfully paid by the town for ambulance service will be billed back to the party receiving service, to the extent lawful.

SHAWANO AREA FIRE DEPARTMENT. Charges billed to and paid for by the town for services rendered by the Shawano Area Fire Department related to rescue or fire services.

RESCUE NOT FIRE RELATED. Charges lawfully billed to the town and paid by it for rescue efforts by a law enforcement agency, fire department or any agent of such an organization other than the Shawano Area Fire Department. Often such efforts will take place on a navigable body of water and may involve town fire department personnel and/or equipment used by the town or joint department, or in conjunction with law enforcement efforts.

4. SPECIAL CHARGE. Where a property has received fire protection services without full payment of any billing, the balance due shall be placed as a special charge against the realty. Town bills shall indicate this procedure will occur if payment is not made. At time of passage, ambulance services cannot result in a special charge, and JAWS unit or rescue call charges would only apply if a direct benefit to the real estate being protected can be shown. The charge shall include interest calculated to December 15 and any administrative fee approved by the town board.

5. SHAWANO AREA FIRE DEPARTMENT RATES. The town will charge at the rate it is billed by a jointly owned fire department, charged under mutual aid provided by another department, or where the town is lawfully billed by a contractor. Actual rates are set forth in such agreements and shown on billings related to service provided in response to particular incidents. A flat administrative fee of \$25.00 will be added.

- a. Penalties for Non-Payment of Shawano Area Fire Department Bills. The owner, occupant or otherwise responsible party to whom such services were provided must submit payment in full, or contact the town to establish a payment plan within 15 days of the date of invoice.
- b. If after 15 days from the date of invoice no payment has been made and the responsible party has not contacted the town to set up a payment plan, a second bill will be sent via certified mail giving an additional 15 days to pay in full, or contact the town to establish a payment plan.
- c. If after 15 days from the date the second bill was sent via certified mail no payment has been made and the responsible party has not contacted the town to set up a payment plan, an additional administrative fee that is proportionate to the towns cost will be added and the balance of the bill will be sent to collections and subject to an applicable interest charge of 1 1/2% per month until paid or, if applicable, placed as a special charge against the realty serviced.

6. SEVERABILITY. In the event any portion of this ordinance is found unlawful or unconstitutional, the remaining portions shall remain in full force and effect.

Passed February 14, 1995

Amended as to Section 3, last paragraph on April 13, 1998.

Amended as to Section 3, second paragraph and Section 6 on June 13, 2000.

Amended as to Section 1, Section 2, Section 5, (a) – (c) and Sections 6, 7& 8 (omitted) on 4/11/16, 2016.

Posted in three (3) places on April 12, 2016 (Wescott Town Office, Wescott Town Hall, Wescott Fire Station) and on the Town website, www.townofwescott.com