

CHAPTER 92: FIRE PROTECTION

§92.01 FIRE PROTECTION

The City of Breezy Point contracts with the City of Pequot Lakes and Ideal Township for Fire Protection Services. Fire protection is billed to property owners when services are rendered and in the event of non-payment the City of Breezy Point is billed for these costs. It is the intention of the city to recover these costs in authorizing the City of Breezy Point to charge for fire services as authorized by Minnesota Statutes §§ 366.011, 366.012, and 415.01.

(A) *Definitions*

FIRE SERVICE means any deployment of fire fighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of fire fighting personnel and/or equipment to provide fire suppression, rescue, extrication, and any other services related to fire and rescue as may occasionally occur.

FIRE SERVICE CHARGE means the charge imposed by the city for receiving fire service.

MOTOR VEHICLE means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all terrain vehicles, or park trailers.

FIRE PROTECTION CONTRACT means a contract between the city and a town or another city for the city to provide fire service.

MUTUAL AID AGREEMENT means an agreement between fire departments to provide assistance to the fire department of a town or other city.

(B) *Parties Affected*

- (1) Owners of property within the city that receives fire service.

Breezy Point – General Regulations

§ 92.01

(2) Anyone who receives fire service as a result of a motor vehicle accident or fire within the city.

(C) *Rates*

(1) Fires that are responded to by the Pequot Lakes Fire Department have the following rates for charges in 2010-2011;

\$500 for the first hour

\$350 for each additional hour or fraction thereof

\$ 50 for each gallon of fire suppression foam used

(2) Fires that are responded to by the Ideal Township Fire Department have the following rates for charges in 2010-2011;

\$350 for the first hour

\$250 for each additional hour or fraction thereof

\$100 for each gallon of fire suppression foam used

(D) *Billing and Collection*

(1) Parties requesting and receiving fire services may be billed directly by the city. Additionally, if a party receiving fire services did not request services but a fire or other situation exists which, at the discretion of the fire department personnel in charge requires fire service, the party will be charged and billed. All parties will be billed whether or not the fire service is covered by insurance. Any billable amount of the fire charge not covered by a party's insurance remains a debt of the party receiving the fire service.

(2) Parties billed for fire service will have 30 days to pay. If the fire service charge is not paid by that time, it will be considered delinquent and the city will send a notice of delinquency.

(3) If the fire service charge remains unpaid for 30 days after this notice of delinquency is sent, the city will use all practical and reasonable legal means to collect the fire charge. The party receiving fire service shall be liable for all collection costs incurred by the city including, but not limited to, reasonable attorney fees and court costs.

(4) If the fire service charge remains unpaid for 30 days after the notice

Fire Protection

§92.01

of delinquency is sent, the City Council may also, on or before November 15 of each year, certify the unpaid fire service charge to the county auditor in which the recipient of the services owns real property for collection with property taxes. The county auditor is responsible for remitting to the city all charges collected on behalf of the city. The city must give the property owner notice of its intent to certify the unpaid fire service charge on or before October 15.

(5) False Alarms will not be billed as a fire call for the first 2 calls but will be billed for the third or more calls.

(E) *Mutual Aid Agreements.* When a fire department provides fire service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

(F) *Application of Collections to Budget.* All collected fire charges will be city funds and will be used to offset the expenses of fire protection services.
(Ord. 10-010, 3rd series, passed 8-02-2010)