

# TOWN OF HARTLAND

Shawano County, Wisconsin

ORDINANCE # 98-04

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## ORDINANCE ESTABLISHING FIRE PROTECTION CHARGES

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WHEREAS, 1983 Wisconsin Act 532 authorizes Towns to charge property owners a portion or all of the costs for fire protection;

WHEREAS, it is in the public interest of the Town of Hartland to charge the costs of such protection to the property owners;

NOW, THEREFORE, The Town Board of Supervisors of the Town of Hartland does ordain as follows:

### Section 1 - State Authority

Pursuant to Section 60.55, 60.555, 60.557 of Wisconsin Statutes, the Town of Hartland, Shawano County, hereby establish the following policy and procedure for the payment of fire costs incurred by the Town of Hartland.

### Section 2 - Purpose

This ordinance is enacted to ensure that persons most directly benefitted by provision of emergency services pay toward their expense and reduce the burden on the general property taxpayer.

### Section 3 - Liability for Fire Protection Costs

The property owners of real estate within the Town of Hartland for which fire protection is provided shall be responsible for the costs of the fire calls made to their property based upon the schedule of charges and rates established by the Town of Hartland-Village of Bonduel Fire Department.

### Section 4 - Exception to Liability

The liability for costs of fire calls as provided in Section 2 above shall not apply to owners of property along public highways or waterways for fire on open land for which the fire is of unknown origin not caused by the property owner. This exception is not intended to relieve the property owner or any other person of any Liability under Section 26.14 of Wisconsin Statutes.

### Section 5 - Limit of Liability

The liability of any property owner for fire calls under Section 2 above shall be limited to \$ 500.00 per call. Current or future contracts with the Department of Natural Resources are not covered by this Ordinance.

### Section 6 - 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.

**Section 7 - Rates**

Unless another specific schedule is adopted, the Town will charge at the rate it is billed by a jointly operated 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 residents.

**Section 8 - Billing and Payment Procedure**

The costs of fire calls as outlined above shall be billed by the Town of Hartland to the property owner's insurance company and paid to the Town of Hartland Treasurer.

**Section 9 - Separability of Provisions**

Should any section or provisions of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

**Section 10 - Effective Date**

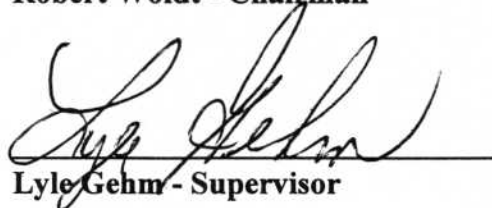
This ordinance shall take effect from and after it's passage and posting as provided by law.

Adopted this 21 day of April 1998

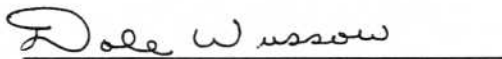
For: 3 Against: 0



**Robert Woldt - Chairman**



**Lyle Gehm - Supervisor**



**Dale Wussow - Supervisor**

Attested:



**Wayne D. Moericke - Clerk**