

## **ORDINANCE ESTABLISHING FIRE PROTECTION CHARGES**

WHEREAS, Wis. Stats. 60.55, 60.555, and 60.557 authorize Towns to charge property owners for a portion or all of the costs of fire protection;

AND WHEREAS, it is in the public interest of the Town of LaGrange Monroe County, Wisconsin, to charge the costs of such protection of property to the owners thereof;

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

### **Section 1. State Authority.**

Pursuant to Wis. Stats. 60.55, 60.555, and 60.557, the Town Board of Supervisors of the Town of LaGrange, Monroe County, Wisconsin, hereby establishes the following written fire protection and hazardous materials fee schedules, as well as policies and procedures for the payment of the costs of fire protection and hazardous materials protection incurred by the Town of LaGrange.

### **Section 2. Liability for Fire Protection and Hazardous Materials Protection Costs – Not on a Highway Described in Section 4.**

- (A) The owners of real estate and personal property located within the Town of LaGrange not on a highway described in Section 4 for which fire protection and hazardous materials protection is provided by the Oakdale Area Fire Association shall be responsible for the costs of the responses made for the protection of said property based upon the following schedule:
- (1) Fire labor - \$17.00 per hour per person.
  - (2) Water – the actual charge incurred by the fire department.
  - (3) Subcontractors providing equipment including, but not limited to, bulldozers and backhoes – the actual charge incurred by the fire department.

### **Section 3. Payment for Costs under Section 2.**

The costs of calls to provide the protection described in Section 2 shall be billed by the Town Clerk to the property owner and paid by the property owner to the Town Treasurer within 30 days of the date of the bill. Those bills that remain outstanding as of November 1 of any year shall become a lien against the

real estate of the property owner and shall be placed on the tax roll as a delinquent special charge pursuant to Wis. Stats. 66.0627.

**Section 4. Liability for Fire Protection and Hazardous Materials Protection Costs on a Highway.**

- (A) The owners of personal property located on or along a town road, county trunk highway, state trunk highway or interstate highway in the Town of *LaGrange* for which fire protection and hazardous materials protection is provided by the Oakdale Area Fire Association shall be responsible for the costs of the responses made for the protection of said property based upon the following schedule:
- (1) Fire labor - \$17.00 per hour per person.
  - (2) Fire engine with tanker - \$400.00 per hour.
  - (3) All other vehicles - \$200.00 per hour.
  - (4) Water – the actual charge incurred by the fire department.
  - (5) Foam – the actual charge incurred by the fire department.
- (B) Residents of the protection area served by the Oakdale Area Fire Association shall not be liable for payment of those charges described in (2) and (3) of this Section.

**Section 5. Payment for Costs under Section 4.**

The costs of calls to provide the protection described in Section 4 shall be billed by the Town Clerk to the property owner and paid by the property owner to the Town Treasurer within 30 days of the date of the bill. The Town Clerk shall send a second and third billing to the property owner after each 30 day period that elapses without payment. If the Town of *LaGrange* is unsuccessful in collection, it shall submit the costs of response on county trunk highways to the Monroe County Highway Department for reimbursement and the costs of response on state trunk highways and interstate highways to the Wisconsin Department of Transportation for reimbursement, all pursuant to Wis. Stats. 60.557.

**Section 6. Payment for Costs of Unauthorized Fire Departments.**

It is the policy of the Town of *LaGrange* to contract with the Oakdale Area Fire Association for the provision of fire protection and hazardous materials protection. Any property owner requesting fire protection or hazardous materials protection other than from the Oakdale Area Fire Association shall be responsible for the full costs billed to the Town of *LaGrange* for the response by any unauthorized fire department. This section shall not apply to the cost of any

other fire department responding at the request of the Oakdale Area Fire Association under a mutual aid agreement.

**Section 7. Separability of Provisions.**

If any portion or provision of this ordinance is determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the remaining portions of this ordinance.

**Section 8. Effective Date and Posting.**


This ordinance shall take effect from and after its passage and posting as provided by law. The Town Clerk shall properly post or publish this ordinance as required pursuant to Wis. Stats. 60.80.


Adopted this 11 day of Jan, 2010 by the Town Board of Supervisors of the Town of Wabesa, Monroe County, Wisconsin.

Attest:   
Clerk

  
Chairperson

Date of posting or publishing:  
1/28/10

  
Supervisor

  
Supervisor