

**CITY OF ST. AUGUSTA  
STEARNS COUNTY, MINNESOTA  
ORDINANCE NO. 2007-06**

**AN ORDINANCE ESTABLISHING FEES FOR FIRE PROTECTION AND  
EMERGENCY RESPONSE SERVICES**

**THE CITY COUNCIL OF THE CITY OF ST. AUGUSTA MINNESOTA DOES  
ORDAIN:**

**SECTION ONE: PURPOSES AND INTENT**

This ordinance is adopted for the purpose of authorizing the City of St. Augusta to charge for fire and emergency response service as authorized by Minn. Stat. §§ 366.011, 366.012, and 415.01.

**SECTION TWO: FEES ESTABLISHED**

A. The city council shall, by resolution, establish fees for fire protection service and/or emergency response which are not otherwise specified by contract. Said fees shall be established at a fixed rate for certain specific types of incidents or for actual costs incurred by the fire department in responding to the incident.

1. False Alarms: Fees for response to false fire alarms and false carbon monoxide alarms shall be charged to the property owner or tenant for any incident after the third call to the property within a twelve (12) month period.
2. Car Fires and Accidents: Fees will be charged for responses to automobile accidents and car fires of persons who are not residents of the City of St. Augusta.
3. Burning Permits: Fees will be charged for response to a fire resulting from a burning which was required to receive, but failed to obtain, a valid burning permit from the city.

B. Fees shall include, but shall not be limited to, actual manpower costs for all personnel that respond to the incident (minimum of 1 hour) and the cost on a per hour basis for each fire apparatus or other city mechanical equipment that responds to the incident (minimum of 1 hour per unit).

C. In addition, the bill for service shall include any cost of cleanup of any contaminated equipment and/or repair of any equipment damaged during the incident or its replacement, along with replacement of any disposable equipment, supplies, and/or communication equipment, and administrative costs to be established at ten percent (10%) of the total bill.

### SECTION THREE: BILLING AND COLLECTION

A. Parties requesting and receiving fire or emergency response services may be billed directly by the City. Additionally, if the party receiving fire or emergency response 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 or emergency response service, the party will be charged and billed. All parties will be billed whether or not the fire or emergency response 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 or emergency response service.

B. Parties billed for fire or emergency response service shall pay such bill within 30 days. If the fire or emergency response service charge is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency.

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

D. If the fire or emergency response service charge remains unpaid for 30 days after the notice of delinquency is sent, the City Council may also, on or before November 15 of each year, certify the unpaid fire or emergency response service charge to the county auditor in which the recipient of the services owns real property for collection with property taxes pursuant to Minn. Stat. §429.101 or any other applicable state statute. The county auditor is responsible for remitting to the city all charges collected on behalf of the city.

### SECTION SIX: MUTUAL AID AGREEMENT

When the City fire department provides fire or emergency response service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

### SECTION SEVEN: APPLICATION OF COLLECTIONS TO BUDGET

All collected fire charges shall become city funds and shall be used to offset the expenses of the City fire department in providing fire and emergency response services.

### SECTION EIGHT: EFFECTIVE DATE

The ordinance shall become effective upon passage and publication.

ADOPTED this 17<sup>th</sup> day of April, 2007.

CITY OF ST. AUGUSTA

By: \_\_\_\_\_  
B. J. Kroll, Mayor

ATTEST:

By: \_\_\_\_\_  
William R. McCabe, City Administrator