

Town of Brooklyn, Green County, WI
Ordinance # 4.2
Title: Fire Protection Response Fee
Adopted: 6/8/2015

This ordinance supersedes ordinance #11-10-97B entitled “Fire Protection Response Fee” with a change in numbering, format and wording but no change in substance.

WHEREAS, Wisconsin Statutes Section 60.55(2)(b), authorizes Towns to charge real property owners a portion or all of the cost of fire protection;

WHEREAS, it is in the public interest of the Town of Brooklyn (the Town) to charge the cost of such protection to property owners;

WHEREAS, Fire Protection for the Town of Brooklyn is provided by the Fire Districts from Albany, Belleville, Brooklyn, and Evansville each operating under separate agreement with the Town (Fire Districts);

NOW THEREFORE, the Town Board of the Town of Brooklyn, Green County, Wisconsin, does ordain as follows:

Section 1 - STATUTORY AUTHORITY

Pursuant to Section 60.55, 60.555, 60.557, and 66.60 of the Wisconsin Statutes, the Town of Brooklyn hereby establishes the following policy and procedure for the payment of unpaid Fire protection response fees charged by the Fire Districts operating under agreement with the Town.

Section 2 - LIABILITY FOR FIRE PROTECTION COSTS

The property owners of real estate within the Town of Brooklyn for which fire protection is provided shall be responsible for the cost of the fire calls made to their property based upon the Fire Protection Response Fee Schedule (Fee Schedule) published from time to time by the Fire Districts operating under agreement with the Town.

All real and personal property shall be subject to the Fire Protection Response Fee even if the real or personal property is exempt from general taxation from the Town of Brooklyn.

Section 3 - ADOPTION OF FEE SCHEDULE AND BILLING PROCEDURES

- a. The Town shall adopt by separate resolution, the Fee Schedule of each of the Fire Districts operating under agreement with the Town. Each Fee Schedule shall include the billing procedure and maximum amount that the individual Fire District shall charge for any one response. Such Fee Schedules may be updated from time to

time by the individual Fire Districts. Copies of the current Fee Schedules and billing procedures, will be available from the individual Fire Districts or the Clerk of the Town of Brooklyn.

- b. Each Fire District shall create and follow an appeal process for property owners who contest a Fire Protection Response Fee. Each Fire District's appeal process shall clearly specify the procedure and time lines which are to be followed both by the property owner and the district. Copies of the appeals procedure will be available from the individual Fire Districts or the Clerk of the Town of Brooklyn.
- c. If any Fire Protection Response Fee has not been paid within 90 days from the date of first billing, then the individual Fire District may assess interest charged at the rate of up to one and one-half percent (1-1/2%) per month from the date of the bill.
- d. Those bills remaining outstanding, including interest, for more than ninety (90) days as of October 1 of any year shall become a lien against the real estate for which the fire protection was provided and shall be placed on the tax roll as a special assessment for that year pursuant to Section 66.60(16) of Wisconsin Statutes.
- e. As an alternative to and in addition to the provisions of paragraph 3(c) above, the individual Fire Districts may commence legal proceedings for collection of unpaid Fire Protection Fees from real or personal property owners of the Town of Brooklyn.

Section 4 - SEVERABILITY OF PROVISIONS

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

Section 5 - EFFECTIVE DATE

This ordinance shall take effect from and after its passage and posting as provided by law.

Chairman: _____

Attestation:

Clerk: _____ Dated: 6-8-15

This ordinance was originally filed in the office of the Town Clerk and properly posted as required by law on the 11th Day of November, 1997.

posted: 6-12-15