

## CHAPTER 12

### EMERGENCY SERVICES

**1200.01. Charges for Emergency Services.** The City of Blue Earth may impose a reasonable service charge for emergency services, including fire, rescue, medical and related services provided for by the City or contracted for by the City. The Emergency Services fee shall be set in the City's fee schedule, as periodically set by resolution of the Council, and is subject to any limitation imposed by State law. Each service will have its own individual fee.

**1200.02. Collection of Fees.** If a service charge submitted by the City to an individual or business remains unpaid 30 days after notice of delinquency is postmarked to the recipient of the service, or the recipient's representative or estate, the City, or its contractor on behalf of the City, may use any lawful means allowed to a private party for the collection of an unsecured delinquent account. Unpaid accounts will be considered delinquent 30 days after the original invoice has been postmarked, and notice of delinquency will be sent to the delinquent party on the 31<sup>st</sup> day.

**1200.03. Assessment Against Holders of Real Property.** The City of Blue Earth may impose an assessment upon property taxes for any unpaid charges for emergency services against the owners real property located within the legal limits of the City of Blue Earth. The City shall certify to the County Auditor, on or before Oct. 15 for each year, any unpaid emergency service charges which shall then be collected together with property taxes levied against the property. A charge may be certified to the Auditor only if, on or before September 15, the City has given written notice to the property owner of its intention to certify the charge to the Auditor. All emergency services assessments shall be subject to the same penalties, interest, and other conditions provided for the collection of property taxes.

**1200.04. Scope of Power.** The powers conferred by this Chapter of the City Code of the City of Blue Earth are in addition and supplemental to the powers conferred by and other City or State law allowing the City to impose a service charge, tax assessment, or a collection fee for any service provided by the City or contracted for by the City. The City reserves the right to amend by Ordinance all Sections of this Chapter, specifically the listing of additional emergency services.

#### **1200.05. In-City Fire Service Fees.**

**Subd. 1. Purposes and Intent.** This Subsection is adopted for the purpose of authorizing the City of Blue Earth to charge for fire service as authorized by Minn. Stat. §§ 366.011, 366.012, and 415.01.

#### **Subd. 2. Definitions.**

(A) "Fire service" means any deployment of firefighting 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 firefighting personnel and/or equipment to provide fire suppression, rescue, extrication, and any other services related to fire and rescue as may occasionally occur.

(B) "Fire service charge" means the charge imposed by the City for receiving fire service.

(C) "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.

(D) "Fire protection contract" means a contract between the City and a town or other city for the City to provide fire service.

(E) "Mutual aid agreement" means an agreement between the City and a town or other city for the City's fire department to provide assistance to the fire department of a town or other city.

**Subd. 3. Parties Affected.**

(A) Owners of property within the City who receive fire service.

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

(C) Owners of property in towns or cities to which the City provides fire service pursuant to a fire protection contract.

**Subd. 4. Rates.** The In-City Fire Service fee shall be as set forth in the City Fee Schedule as set by resolution of the City Council on an annual or more frequent basis.

**Subd. 5. Billing and Collection.**

(A) Parties requesting and receiving fire services may be billed directly by the City. Additionally, if the 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.

(B) 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.

(C) 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 service 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.

(D) If the fire service charge remains unpaid for 30 days after the notice of delinquency is sent, the City Council may also, on or before October 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 by September 15.

(E) False alarms will be billed as a fire call.

**Subd. 6. Mutual Aid Agreement.** When the City 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.

**Subd. 7. Application of Collections to Budget.** All collected fire charges will be city funds and used to offset the expenses of the City fire department in providing fire services.