

ORDINANCE NO. 16 - 9

AN ORDINANCE TO AMEND §6.16 OF THE FIRE PREVENTION CODE OF THE MUNICIPAL CODE OF THE VILLAGE OF HALES CORNERS PERTAINING TO THE COSTS OF FIRE-EMERGENCY RESPONSE CALL SERVICES AND FEES TO BE CHARGED THEREFORE TO NON-RESIDENT RECIPIENTS OF SUCH SERVICES

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WHEREAS, the Village Board having considered the costs to the Village of providing fire-emergency response call service on public streets and highways in the Village and having recognized its authority to assess such costs to users of such services as a matter of the Village's home rule authority, the Village Board having the management and control of the village property, finances, highways, streets, and the public service, and the power to act for the government and good order of the village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and the authority to carry its powers into effect, *inter alia*, by license, regulation, taxation, special assessment, appropriation, and other necessary or convenient means, pursuant to §61.34(1), Stats.; and

WHEREAS, the Village Board having considered such costs in relation to the Village Budget supported primarily by Village property taxes paid by Village property owners and the historical costs and the provision of fire-emergency response call services on public streets and highways in the Village, which has been substantially to assist non-residents of the Village; and

WHEREAS, the Village Fire Chief and the Village Administrator/Clerk having reviewed the subject matter and having recommended approval of an amendment to the Municipal Code to provide for fire-emergency response call services cost recovery fees from non-residents.

WHEREAS, the Village Board having considered the proposed amendment to the Fire Code at its meeting on April 25, 2016, and having concurred with the recommendations of staff and having determined that the proposed amendment will serve to protect the health, safety and welfare of the Community.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: §6.16 of the Municipal Code of Hales Corners, Wisconsin, be and the same is hereby repealed and recreated to read as follows:

**FIRE-EMERGENCY RESPONSE CALL SERVICE.**

Every non-Village resident person to whom a fire-emergency response call service is provided on a public street or highway in the Village of Hales Corners shall pay to the Village the actual costs of such emergency response call service, up to certain maximum amounts as follows: i) the maximum fee to be paid by a non-resident for a Level 1 Response (basic

response for traffic control, vehicle removal assistance, incident scene clean-up, apply absorbent) services is \$300.00; ii) the maximum fee to be paid by a non-resident for a Level 2 Response (fire suppression or extrication) services is \$500.00. The aforesaid fees are to be charged and paid per incident, and proportioned to the vehicle(s) owner(s) and or person(s) to whom service is provided. Such payment shall be due upon invoice by the Village. §6.98 of this Chapter, pertaining to penalties, and §6.99 of this Chapter, pertaining to appeals, shall not apply to this Section.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED this 25th day of April, 2016.

  
Robert G. Ruesch, Village President

Countersigned:

  
Michael F. Weber, Administrator/Clerk

