

ORDINANCE AMENDING THE CODE OF THE TOWN OF ELK MOUND:

Cost Recovery for Extinguishing and Cleaning Up Fires

The Town Board of the Town of Elk Mound does ordain as follows:

SECTION I. Amendment.

The Code is hereby amended and restated to read:

- (a) **Purpose.** The Elk Mound Fire District and the Elk Mound Fire Department (the “Fire Department”) provide fire protection and other services (“Services”) to the Town of Elk Mound. In order to pay for a portion of the cost of such Services, the Town of Elk Mound hereby imposes charges for a portion of actual Services provided.

The Code is hereby amended and restated to read:

- (b) **Payment.**
 - (1) In the event the Elk Mound Fire District or the Fire Department is required to provide Services to parties or property located within the Town of Elk Mound, there is hereby imposed service charges (the “Charges”) based on a Fee Schedule approved from time to time by the Town of Elk Mound and the Elk Mound Fire District.
 - (2) The Elk Mound Fire District may charge the Town pursuant to this amendment for any Services provided within the Town. The Town may, in turn, charge invoice or bill the person(s) or owner of the property receiving the Services. The Town shall pay the Elk Mound Fire District within one hundred twenty (120) days for all charges issued by the District to the Town.
 - (3) Payment of any invoices issued by the Town pursuant to this amendment shall be made within sixty (60) days of the billing date of any statement submitted by the Town, and if not paid within sixty (60) days, shall accrue interest at a rate of one percent (1%) per month from the billing date. The statement shall indicate the cost of fire suppression services as determined by the Elk Mound Fire District’s fee schedule.
 - (4) The failure of any such owner to pay said charges within sixty (60) days from the date of billing may result in the Town Clerk placing the amount owed on the tax roll as a special charge or placing a lien on the property involved in the fire suppression incident.
 - (5) The Town of Elk Mound or the Elk Mound Fire District may also use any other legal means available to collect any unpaid amount due, including utilizing the services of a collection service or issuance of a citation for non-payment for services.

SECTION II. SEVERABILITY

If any provisions of this ordinance amendment or any application of this ordinance amendment to any person or circumstance is found to be invalid or unconstitutional, such a finding shall not affect the other provisions or applications of this ordinance amendment which can be given effect without the invalid or unconstitutional provision or applications.

SECTION III. EFFECTIVE DATE

This Ordinance shall take effect as of March 13, 2025, upon passage and publication as provided by law.

Adopted this 13 day of March, 2025.

Tony R Christopherson
Tony Christopherson, Town Chairperson

Kelly Bartholomew
Kelly Bartholomew, Town Clerk

Voted for: 3
Voted against: 0
Abstained: 0
Absent: 0
Date enacted: 3-13-2024