

Ordinance 1986-1
Emergency Ambulance Service Charge Ordinance

An Ordinance to establish charges for Emergency Ambulance Service pursuant to the provisions of MSA 14.15 (20346), being MCL 333.20346, as amended, and to provide methods for the collection of such charges, and to repeal all other ordinances or portions thereof inconsistent with the terms hereof.

The Township of Ely, Marquette Country, Michigan ordains:

Section 1. Purpose.

This Ordinance is adopted for the purpose of providing a means for the Township of Ely to recover the costs incurred by it for emergency ambulance services from those users receiving direct benefits from such emergency ambulance services, thereby providing partial funding for an at large governmental expense from those who derive direct benefit from such service. It is further the purpose of this Ordinance to repeal any and all other Ordinances, or portions thereof, which are inconsistent with the provisions of this Ordinance.

Section 2. Charges for Ambulance Service.

The following charges shall hereafter be due and payable to the Township of Ely from a recipient of emergency ambulance services provided, either directly or by contract, by said Township of Ely:

A. For each ambulance run or call to any point within the geographical boundaries of the Township of Ely, and returning to the Francis A. Bell Memorial Hospital in Ishpeming, Michigan, the charge shall be \$93.00;

B. For each ambulance run or call to any point within the geographical boundaries of the Township of Ely, to the Marquette General Hospital in Marquette, Michigan, the charge shall be \$135.00;

C. In addition to the ambulance service charges described in Subsections A and B hereinabove, there shall be a charge of \$5.00 per ambulance run or call if the use of oxygen is required;

D. There shall be no additional charge for dressings, medicine, or other incidentals utilized during an ambulance call or run;

E. Liability for the charges described in Subsections A through D, inclusive, shall accrue immediately when the requested ambulance leaves the garage where it is normally kept, or, in the event that the ambulance is on the road when summoned, as soon as said ambulance departs

from its previous mission to respond to the call. This provision is intended to cover, without limitation, those circumstances where:

1. The ambulance responds to a call and is then sent back to the garage or is sent somewhere else because the request for said ambulance is cancelled; and/or
2. Upon arriving at the site where summoned, the ambulance personnel determine that the intended user of its services is not in need of emergency service; and/or
3. Upon arriving at the site where summoned, the ambulance personnel determine that the person or persons requiring ambulance service have already been removed from the site by some other method or transportation.

Section 3. Time for Payments; Collections of Charges.

All of the rates and charges described in Section 2 of this Ordinance shall be due and payable within 20 days from the date of billing for such service by Ely Township. Any such charges which are not paid within 20 days from the date of billing shall be deemed to be in default, and the Township of Ely may immediately thereafter initiate proceedings in the District Court for Marquette County, Michigan, or in any other court of competent jurisdiction for the collection thereof, and may utilize any other method available to it, either at law or in equity, for the collection of such charges.

Section 4. Credit for Payments by Collateral Sources.

In the event that the Township of Ely, or the actual provider of the emergency ambulance services, receives a payment from or on behalf of a user of such ambulance services the Township of Ely and/or the provider of such emergency ambulance service shall credit such payment to the account of such user.

Section 5. Non-Exclusive Charge.

The rates and charges described in Section 2 shall not be deemed to be the only charges which may be made by the Township of Ely for the costs and expenses of providing emergency ambulance services to persons within its geographical boundaries, but shall only be supplemental thereto. Revenue for such purposes may additionally be collected by the Township of Ely through general taxation following a vote of the electorate approving the same, or by special assessment levied pursuant to the provisions of Michigan Law. General fund appropriations may also be made and expended in order to meet additional costs and expenses.

Section 6. Severability.

Should any provision or part of this Ordinance be declared by any Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of any other provision of this Ordinance, which shall remain in full force and effect.

Section 7. Repeal.

Ordinance 1982-1, entitled "Ely Township Ambulance Service Fees Ordinance", as adopted December 17, 1982, and any and all Amendments thereto, shall be, and the same hereby are, repealed. This repeal to be effective as of the effective date of this Ordinance.

Section 8. Publication; Effective Date.

This Ordinance shall be published once in the Marquette Mining Journal, a newspaper of general circulation in the Township, within 30 days following its adoption, and shall become effective upon the day following the date of such publication.

Adopted: June 19, 1986

Published: June 27, 1986

Effective: June 28, 1986

Kenneth A. Tuominen
Ely Township Supervisor

Elise Petro
Ely Township Clerk