

**METAMORA
TOWNSHIP**

ORDINANCE NO. 15.05

AFFIDAVIT OF PUBLICATION

EFFECTIVE DATE MAY 26, 1993
(AN ORDINANCE TO ESTABLISH A SERVICE CHARGE BASED ON COST INCURRED BY THE METAMORATOWNSHIP FIRE DEPARTMENT RESPONDING TO A RUN INVOLVING HAZARDOUS MATERIALS.)

METAMORA TOWNSHIP, LAPEER COUNTY, MICHIGAN ORDAINS:

SECTION 1. SHORT TITLE

This Ordinance shall be known and may be cited as as "The Hazardous Materials Cost Recovery Ordinance of Metamora Township."

SECTION 2. DEFINITIONS

(A) "Costs" means all expenses incurred by the Township responding to a run in the Township which involves the presence of hazardous waste, to include by way of illustration and not limitations personnel expenses, fuel, food, equipment and materials expended.

(B) "Fire Department" means the Metamora Township Fire Department.

(C) "Hazardous Materials" means explosives, pyrotechnics, flammable gas, flammable compressed gas, nonflammable compressed gas, flammable liquid, combustible liquid, oxidizing material, poisonous gas, poisonous liquid, irritating material, etiologic material, radioactive material, corrosive material, or liquified petroleum gas.

(D) "Township" means Metamora Township.

SECTION 3. SERVICE CHARGE

The owners of the hazardous material, or person, or entity transporting such material or person or entity which owns or has an interest in the real property upon which a fire run is made which involves hazardous materials shall be singularly and jointly liable for the cost incurred by the Township in responding to and supervising the danger caused by such material.

SECTION 4. INCONSISTENT ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY

If any article, section subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Township Board of the Township of Metamora that this Ordinance shall stand, notwithstanding the invalidity of any article, section, subsection, sentence, clause, phrase, or portion thereof.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be published in the Lapeer County Press, a newspaper, having general circulation in the Township, within thirty (30) days after its adoption and shall become effective thirty (30) days after the first publication of the Ordinance.

Date Adopted: April 12, 1993
Date Published: April 21, 1993
Effective Date: May 21, 1993
Moved by Trustee Derderian
Supported by Trustee Grifka
Roll call vote:
Ayes 4
Nays 0
Absent 1
Marilyn Taylor, Clerk
Wayne Nolan, Supervisor

STATE OF MICHIGAN }
COUNTY OF LAPEER } SS

Mark Haney, being first duly sworn, says that (s) the Editor of THE COUNTY PRESS newspaper published in the English language for the dissemination local or transmitted news and intelligence of a general character legal news, which is a duly qualified paper, and that annexed here copy of a certain order taken from said newspaper, in which the was published

April 21, 1993

Mark Haney

Subscribed and sworn to before me this 22nd day of April, 1993

James W. Withney
Notary Public, Lapeer County, Michigan

My commission expires SEP. 12 1994