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Cheryl L Kantor

County Recorder

Benton County MN

Fee: \$46.00

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**WATAB TOWNSHIP  
BENTON COUNTY  
STATE OF MINNESOTA  
CERTIFICATION OF ORDINANCE NO. 3 (amended)**

STATE OF MINNESOTA     )  
  ) s.s.  
COUNTY OF BENTON     )

I, Kathy Sauer, Clerk of the Town of Watab, Benton County, Minnesota, hereby certify that the attached document consisting of the "***Ordinance No. 3 (amended): An Ordinance Establishing Fees for Emergency Protection Services***" (amended) constitutes a complete, accurate and correct copy of Watab Township's Ordinance adopted on the 10th day of December, 2024, and on file in the office of the Town Clerk, Watab Township, Benton County, Minnesota.

WITNESS my hand as Clerk for Watab Township, Benton County, Minnesota this 24<sup>th</sup> day of April, 2025.

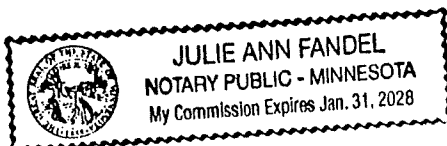
  
Kathy Sauer

Kathy Sauer, Clerk of Watab Township, Benton County Minnesota acknowledged the foregoing instrument before me this 24<sup>th</sup> day of April 2025 pursuant to the authority granted by its Town Board.

  
NOTARY PUBLIC

**DRAFTED BY:**

Couri & Ruppe, P.L.L.P.  
P.O. Box 369  
St. Michael, MN 55376  
(763) 497-1930



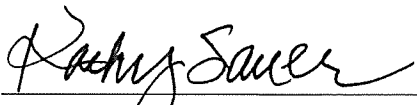
Watab Township  
Junk Rapids, MN  
CK# 9141

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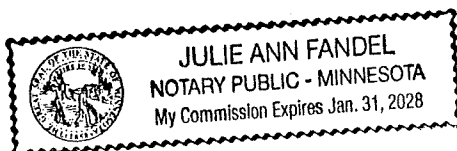
  
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Watab Township  
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WATAB TOWNSHIP  
BENTON COUNTY  
STATE OF MINNESOTA

ORDINANCE NO. 3 (amended)

AN ORDINANCE ESTABLISHING CHARGES FOR FIRE AND EMERGENCY  
RESPONSE SERVICES (amended)

The Board of Supervisors of Watab Township, Benton County, Minnesota ordains:

**Section 1: Purposes and Intent**

This ordinance is adopted for the purpose of authorizing Watab Township (the "Town") to charge for Fire and Emergency Services as authorized by Minn. Statutes §§ 366.011 and 366.012.

**Section 2: Definitions**

1. "Fire and Emergency Services" means any deployment of firefighting personnel, emergency medical personnel and/or equipment to extinguish a fire or perform any preventative measure to protect equipment, life, or property in an area threatened by fire, or to provide fire suppression, rescue, extrication, medical, and any other services related to fire and rescue as may occasionally occur.
2. "Service Charge" means the charge imposed by the Town for receiving Fire and Emergency Services.
3. "Fire Protection Contract" means a contract between the Town and another jurisdiction which provides Fire and Emergency Services.

**Section 3: Parties Affected**

Persons or entities that utilize Fire and Emergency Services within the Town, regardless of residence.

**Section 4: Rates**

1. Residents of the Town who receive Fire and Emergency Services will be billed 75% of the amount charged to the Town by the Fire and Emergency Services provider pursuant to the Fire Protection Contract. In the event the charges must be sent to collections or certified to the resident's property taxes because of non-payment, the resident will forfeit the resident discount previously applied to the invoice. Interest will be applied to the original amount of the invoice prior to discount.
2. Non-residents of the Town who receive Fire and Emergency Services will be billed 100% of the amount charged to the Town by the Fire and Emergency Services provider pursuant to the Fire Protection Contract.

### **Section 5: Fire and Emergency Service Charges in General**

1. The Collection of Fire and Emergency Service response charges shall be pursuant to Minnesota Statute § 366.011 and any other applicable statute. Collection of unpaid service charges shall be as authorized in Minnesota Statute § 366.012 and any other applicable statute.
2. Parties requesting Fire and Emergency Services, parties receiving Fire and Emergency services, and owners of property upon which Fire and Emergency Services are performed may be billed directly by the Town if such Fire and Emergency Services are provided pursuant to the Fire Protection Contract. If Fire Department personnel deem a fire or other emergency exists, even if the parties did not request services, the parties will be charged and billed.
3. When a particular service rendered by the Fire and Emergency Services provider directly benefits more than one person or property, the owner of each property so benefited, and each person or entity so benefited (where the property protection only is not involved) shall be liable for the payment of a proportionate share of the full charge for such service as outlined herein.
4. All parties will be billed whether the Fire and Emergency Services are covered by insurance. Any billable amount of the service charge not covered by a parties' insurance remains a debt of the party billed for such Fire and Emergency services.
5. Parties receiving an invoice for Fire and Emergency Services will have 30 days to pay. If the invoice is not paid within that period, the invoice will be considered delinquent, and interest will accrue at a rate of 1.5% per month.
6. If the Fire and Emergency Service charge remains unpaid for 30 days after the notice of delinquency is sent, the Town Board may, in addition to any remedies available under Minnesota law, on or before November 15 of each year, certify the unpaid Fire and Emergency Services charge to the County Auditor of the county in which the delinquent party owns real property for collection with property taxes levied against the property pursuant to Minnesota Statutes §§ 366.011 and 366.012. The County Auditor shall be responsible for remitting to the Town all charges and service charges collected on behalf of the Town. The Town must give the property owner written notice of its intent to certify the unpaid service charge to the Auditor by October 15. The service charge shall be subject to the same penalties, interest, and other conditions provided for the collection of property taxes.
7. The parties receiving the service shall be liable for all collection costs incurred by the Township including, but not limited to, administrative costs, attorneys' fees, recording fees, and court costs.
8. Any party aggrieved by a charge authorized in this ordinance may appeal the charge as follows:
  - a. Within the period for which a bill is payable, the party shall file a written request with the Town Clerk setting forth specific reasons why the charge is improper.
  - b. The Clerk shall notify the aggrieved party, in writing, of the time, place, and date the Town Board will hold a hearing on the issue.
  - c. The Town Board may grant relief on appeal if it finds good cause and sufficient proof to satisfy the Board.
  - d. The Town Board may extend the time for payment for a reasonable period.

### **Section 6: Application to Collections to Budget**

All Fire and Emergency Services charges collected will be Town funds and used to offset the expenses of the Town in contracting for Fire and Emergency Services.

### **Section 7: Effective Date**

This Ordinance shall become effective and enforceable upon its publication in the Town's official newspaper.

**Section 8: Severability**

If any portion of this Ordinance is found unconstitutional or otherwise invalid by a court of proper jurisdiction, all remaining provisions shall remain in effect and shall not be affected by the ruling on the invalid section.

Passed by the Watab Town Board this 10<sup>th</sup> day of December, 2024.



Jesse Arndt, Chairperson



Kathy Sauer, Clerk