

AN ORDINANCE AUTHORIZING AND EMPOWERING THE CITY COLLECTOR TO SELL PERMITS FOR FIRE PROTECTION TO RESIDENTS WITHIN A SIX MILE RADIUS OF THE FIRE STATION: ENABLING THE FIRE DEPARTMENT TO GO OUT OF THE CITY LIMITS TO THE EXTENT OF THE AFOREMENTIONED SIX MILE RADIUS: AND ESTABLISHING FEES FOR THE ISSUANCE OF FIRE TAGS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:

SECTION ONE: FIRE PROTECTION PERMITS; FEES AND AREA OF COVERAGE. The City Collector of the City of St. Mary is hereby authorized and empowered to sell permits at the sums according to following rate schedule and permits shall be issued for a period of one year.

FOR RURAL PROPERTIES:

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|------------------------------------|-------------------------------|
| RESIDENTAL FEE: | \$50.00 |
| FARM-LANDOWNER | \$75.00 OVER 10 ACHRES |
| ADDITIONAL PROPERTY/NON-ADJOINING: | \$25.00 |
| BUSINESS: | \$75.00 EACH BUSINESS MINIMUM |

Fees for a business may be set higher at the Discretion of the Board of Alderman with Regard to size of the business and/or hazard.

PROPERTY OWNER RESPONSIBILITY: It shall be the property owner's responsibility to supply an ample water source along with sufficient roadway access and directions to the water supply for each property.

SECTION TWO: EQUIPMENT TO BE USED; The Fire Department may dispatch an adequate amount of equipment and sufficient manpower subject to the discretion of the present ranking officer to any permit holder within the aforementioned six mile radius, subject to the provisions and conditions set forth in the resident's permit.

TAG HOLDER AGREES TO PAY THE SUM FOR THE FOLLOWING SERVICES RENDERED:

TAG HOLDER- \$250.00 per hour for the first hour plus \$100.00 for each hour thereafter
NON TAG HOLDER- Has to pay the sum of \$100.00 for responding; \$500.00 per hour if any action is taken plus cost of a tag (per section 320.302)
LARGE VEHICLE- \$500.00 per hour unless they are a tag holder.
SMALL VEHICLE FIRE- \$250.00 per hour unless they are a tag holder.
EXTRACTION- \$250.00 Minimum; \$100.00 per unit plus any charges too cover abnormal materials used/etc... These charges will be set at the discretion of the jurisdiction in charge.
HAZARDOUS MATERIAL INCIDENCE- \$250.00 for responding and declaring that there is a hazardous material incident. When action is taken to secure an incident the

following fees will be charged. \$500.00 per unit per hour plus any additional charges to cover abnormal materials or services used. These charges will be set by the jurisdiction in charge.

THE CITY OF ST. MARY EXPRESSLY RESERVES THE RIGHT TO REFUSE TO SERVICE AND HOLDER HEREOF IF THEY SHALL FAIL TO COMPLY WITH THE TERMS SET FORTH HEREIN.

SECTION THREE: HOLDER TO SIGN PERMIT. The permit and stub thereto shall be signed by the holder, agreeing to the terms aforementioned. The stub shall be filled out to show the name of the holder, address of same, and the period for which the permit is issued. The stub shall be kept in the office of the City Collector as a record of entitlement.

Pro-rating permits: The City Collector shall have the power to pro-rate fire tags to residents that are required to have a St. Mary Fire Department fire tag as their fire protection district, whom have previously paid their fire tag in another Fire District. The Collector can pro-rate these fire tags on a quarterly basis. Any resident that does not hold a fire tag permit from another district shall not be granted a pro-rated fire tag or any resident that pays for their fire tag after the due date. These residents will be required to pay the full price of the fire tag and any late charges that may occur.

SECTION FOUR: REVENUE DEPOSITED WITH CITY COLLECTOR: All revenue derived from the sale of said permits shall be turned over to the City Collector who shall deposit same in the Rural Fire Fund of the City of St. Mary. This fund may be used to purchase and defray the cost of newer and better equipment as needed.

SECTION FIVE: EXPLANATION OF PROPERTIES:

Residential property: Shall be defined as less than 10 acres with one (1) single family dwelling or (1) single family rental dwelling. Multiple single family dwellings on the same property shall require a permit for each dwelling.

Farm Property-Landowner: Shall be defined as ten(10) acres or more with one(1) single family dwelling or ten(10 acres or more(unoccupied) for agricultural cropland, animal feed lot, wildlife recreation or other non-specified use. Multiple single family dwellings on the same farm property shall require a permit for each dwelling.

Commercial property: Shall be defined as any property requiring a business or merchant's license to operate. Multiple commercial operations on the same property requiring separate business or merchant's license to operate shall require a tag for each operation.

Multiple family rental property: Rental property with two (2) or more dwellings attached shall be considered commercial property. Multiple family rental dwellings on the same property shall require a tag for each dwelling.

Additional Property: Shall be defined as any property that does not join the dwelling property of a tag holder but is in the service area of the county fire department. Example (you have a residential or farm property tag and you also have acreage in another area of the County that is non adjoining and unoccupied. There will be an additional fee of twenty five dollars (\$25.00) per property. These Additional property tags will be payable to the department where the additional property is located.

ANY PROPERTY NOT COVERED BY THE ABOVE EXPLANATIONS SHALL BE DEFINED BY THE JURISDICTION WHERE THE PROPERTY IS LOCATED.

SECTION SIX: EFFECTICE DATE: This ordinance shall be in full force and effect from and after its passage and approval.

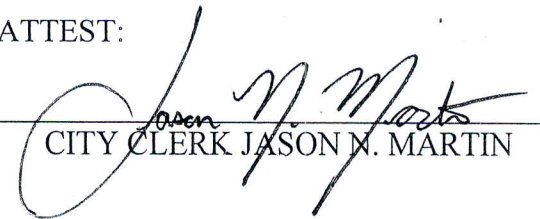
SECTION SEVEN: All ordinances or parts of ordinances in conflict with this ordinance shall be, and the same are hereby repealed insofar as they may so conflict.

SECTION EIGHT: SEVERABILITY. The invalidity of any section, clause, sentence, or provisions of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Passed and approved this the 10th day of December, 2009

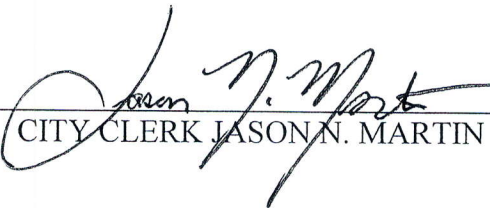

MAYOR CARLTON WYATT

ATTEST:


CITY CLERK JASON N. MARTIN

| <u>ALDERMAN</u> | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-----------------|------------|------------|----------------|---------------|
| Dennis Bovey | X | | | |
| Robert Bequette | X | | | |
| Frank Gerardot | X | | | |
| Jeffrey Stokes | X | | | |

I, Jason N. Martin, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen at a special meeting so convened on this the 10th day of December, 2009.


CITY CLERK JASON N. MARTIN