ORDINANCE NO. 2001-04

AN ORDINANCE AMENDING SECTIONS 7.40.2 AND 7.40.3 OF THE ATKINS MUNICIPAL CODE AND ADDING ADDITIONAL SECTIONS PERTAINING TO FEES TO BE CHARGED FOR THE HANDLING AND CONTROL OF FIRES LOCATED WITHIN THE ATKINS FIRE PROTECTION DISTRICT AND THE CITY OF ATKINS AND FOR OTHER PURPOSES

WHEREAS, existing ordinances pertaining to the Atkins Fire Protection District provide for fees to be charged for grass fires and structure fires located within the Atkins Fire Protection District; and

WHEREAS, there are currently no provisions for fees to be charged for the handling and control of other types of fires which occur within the Atkins Fire Protection District and the City of Atkins; and

WHEREAS, there is a need to provide for the setting of fees to be charged for all types of fires occurring within the Atkins Fire Protection District and the City of Atkins;

NOW THEREFORE, be it ordained by the City Council for the City of Atkins as follows:

Section 1. Section 7.40.02 of the Atkins Municipal Code is amended to read as follows:

Legal Description of the Atkins Fire Protection District. The Atkins Fire Protection District is described as follows:

All of Section 1 through Section 12 of Township 6 North, Range 18 West.
All of Township 7 North, Range 18 West.
South 2/3 of Township 8 North, Range 18 West.
All of Sections 1 and 2, East ½ of Section 3, East ½ of Section 10.
All of Sections 11, 12, 13, 14 and East ½ of Section 15, North of Arkansas River, Township 6 North, Range 19 West.
All of Section 1 and 2 East ½ of Sections 3, East ½ of Section 10.
All of Sections 11, 2, 13, 14 and East ½ of Sections 15,
East ½ of Sections 22, Sections 23 through 26,
East ½ of Section 27, East ½ of Section 34.
All of Sections 35 and 36 of Township 7 North, Range 19 West.
All of Sections 13 and 14, East ½ of 15, East ½ of 22.
All of 23 through 26, East ½ of 27, East ½ of 34.
All of 35 and 36 of Township 8 North, Range 19 West,
EXCLUDING THE AREA LOCATED IN THE INCORPORATED CITY LIMITS OF ATKINS.

Section 2. Section 7.40.03 of the Atkins Municipal Code is amended to read as follows:

Fire Protection for the Atkins Fire Protection District and for the City of Atkins.

The City of Atkins Fire Department shall provide aid in the extinguishing of fires to those individuals, firms, corporations, partnerships or other entities who own or possess real or personal property located within the Atkins Fire Protection District and the corporate limits of the City of Atkins. The Atkins Fire Department shall respond to all fires with equipment and men sufficient to meet the minimum requirements of the Arkansas Insurance Services Office for Class 7 fire protection.

Section 3. A section shall be added to read as follows:

Section 7.40.04. Atkins Fire Protection District Annual Fees.

Any individual, firm, corporation, partnership or other entity owning or possessing real property described in Section 7.40.02 above shall pay an annual fee of Twenty-five Dollars ($25.00) to the City Clerk of the City of Atkins, Arkansas, for the services so described. Each year the annual fee shall be payable on or before April 1st.

Section 4. A section shall be added to read as follows:

Section 7.40.05 Charges to be Assessed for Fires Occurring Within the Atkins Fire Protection District.

A charge of between One Hundred Dollars ($100.00) and One Thousand Dollars ($1,000.00) shall be assessed to owners and possessors of land or personal property for each fire involving such property in which members of the Atkins Fire Department attend and participate in the putting out of such fires when such fires occur within the Atkins Fire Protection District and the owners or possessors of such real property have not paid the annual fees as set forth above at the time of the fire. Such charges shall also be assessed to owners or possessors of personal property only, when fires involving such personal property occur within the Atkins Fire Protection District and the members of the Atkins Fire Department attend and participate in the putting out of such fires.

Section 5. A section shall be added to read as follows:

Section 7.40.06 Charges to be Assessed for Fires Pertaining to Personal Property and Occurring Within the City of Atkins.

A charge of between One Hundred Dollars ($100.00) and One Thousand Dollars ($1,000.00) shall be assessed to those who are not residents of the City of Atkins and do not own real property within the city limits of the City of Atkins, but who own or possess personal property which was involved in a fire which occurred within the boundaries of the City of Atkins. The charge shall be assessed for each fire involving such property attended by the

Atkins Fire Department at the time of the fire.

Section 6. Emergency Clause

An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

DATED this 10th day of APRIL, 2001.

THE CITY OF ATKINS

BY _____
JERRY DON BARRETT, MAYOR

Brenda Graves
BRENDA GRAVES, CITY CLERK

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