

**SERVICE CHARGE
ORDINANCE FOR THE
PALMERDALE FIRE DISTRICT**

We, the Board of Trustees of the Palmerdale Fire District, do hereby ordain as follows:

SECTION ONE

Pursuant to Sections 12 and 13 of Act No. 79 of the Special Session of the Legislature of Alabama of 1966, as amended by Act No. 702, of the Regular Session of the Legislature of Alabama of 1971, Act No. 841, of the Regular Session of the Legislature of Alabama of 1971 and Act No. 500 of the Regular Session of the Legislature of Alabama of 1978, the Board of Trustees of the Palmerdale Fire District ordain and establish the service charges described below, the proceeds of which will provide for the expense of maintaining the district.

SECTION TWO

As used herein, the following terms have the meanings hereby ascribed to them, unless a different meaning is apparent from the context: "The District" shall mean the Palmerdale Fire District; "Service Charge" shall mean the annual service charge hereby levied pursuant to Act No. 79 of the Special Session of the Legislature of 1966, as amended, to pay for the expense of maintaining the District; "Residential Dwelling" shall mean the residential homes, residential apartments, residential mobile homes or manufactured homes whether or not located in a mobile home park and residential condominiums within the District; "Commercial Building" shall mean any building or part of a building within the District wherein a business is conducted or may be conducted or any building which does not constitute a Residential Dwelling; "Real Property" shall mean the real estate upon which any such "Residential Dwelling" or "Commercial Building" is located, or real estate on which no structure is located. Service charges on improvements shall apply to any such "Residential Dwelling" and "Commercial Building" at the time ground is broken for the construction of same or any structure is placed upon the "Property". Service Charges on Real Property shall include all real estate, both with and without improvements or structures on Real Property, and become the responsibility of Property Owner at which time said "Real Property" is purchased. All Real Property will be charged separately from improvements.

SECTION THREE

The expense of maintaining the District shall be paid by the proceeds of the service charge hereby levied in the amounts set forth below in Section Five. Said service charge shall be levied upon and collected from the property owners served by the District. The service charge shall be a joint personal obligation of the owners of the Residential Dwellings and Commercial Buildings, and/or Real Property, and the persons, firms, corporations, or other entities having actual or constructive usage of any such dwellings, buildings, or property served by the District and to secure collection of the service charge there shall be a lien against the property served in favor of the District, which lien shall be enforceable by sale thereof in the same manner in which the foreclosure of a municipal assessment for public improvements is authorized. In the case of multiple units, the District may, at its option, elect to bill and collect from the record owner of an apartment complex, an office building, a shopping center, an industrial development property, a mobile home park, the land upon which mobile homes are located, or, the District may, at its option, elect to bill and collect from the occupants of the individual units of any of the above properties, complexes, buildings and centers.

SECTION FOUR

The service charge herein levied shall be collected for the sole purpose of paying for the expense of maintaining the District, and it shall be used by the District for no other purpose.

SECTION FIVE

The following annual service charges for Residential Dwellings, Commercial Buildings, and Real Property are hereby enacted, to become effective November 1, 2014:

<u>RESIDENTIAL DWELLINGS</u>	<u>ANNUAL CHARGE</u>
Mobile Homes not assessed with property	
- Per Single Wide Mobile Home	\$160.00
- Per Double Wide or Larger	\$175.00
Home, Apartment, Condominium, and Mobile Home assessed as real estate by Jefferson County taxing authorities (Based on Appraised Market Value of Improvements)	
Below \$50,000	\$160.00
\$50,000 - \$74,999	\$175.00
\$75,000 - \$99,999	\$190.00
\$100,000 - \$124,999	\$205.00
\$125,000 - \$149,999	\$220.00
\$150,000 - \$174,999	\$230.00
\$175,000 - \$199,999	\$240.00
\$200,000 - \$224,999	\$250.00
\$225,000 - \$249,999	\$260.00
\$250,000 - \$299,999	\$270.00
\$300,000 - \$349,999	\$285.00
\$350,000 - \$399,999	\$300.00
\$400,000 - \$499,999	\$330.00
\$500,000 - \$599,999	\$360.00
\$600,000 - \$699,999	\$400.00
\$700,000 - \$799,999	\$450.00
\$800,000 - \$899,999	\$500.00
\$900,000 - \$999,999	\$550.00
\$1,000,000 - \$1,500,000	\$650.00
\$1,500,001 & UP	\$800.00
 <u>BUILDERS AND CONTRACTORS</u>	
Per Residential Unit Under Construction	\$150.00
Per Commercial Unit Under Construction	\$250.00

COMMERCIAL BUILDINGS

Annual Charge

(Based on Appraised Market Value of Improvements)

Below \$50,000	\$175.00
\$50,000 - \$74,999	\$190.00
\$75,000 - \$99,999	
\$100,000 - \$124,999	\$220.00
\$125,000 - \$149,999	\$230.00
\$150,000 - \$174,999	\$240.00
\$175,000 - \$199,999	\$250.00
\$200,000 - \$224,999	\$260.00
\$225,000 - \$249,999	\$270.00
\$250,000 - \$299,999	\$290.00
\$300,000 - \$349,999	\$310.00
\$350,000 - \$399,999	\$330.00
\$400,000 - \$499,999	\$370.00
\$500,000 - \$599,999	\$410.00
\$600,000 - \$699,999	\$450.00
\$700,000 - \$799,999	\$500.00
\$800,000 - \$899,999	\$550.00
\$900,000 - \$999,999	\$650.00
\$1,000,000 - \$1,500,000	\$750.00
\$1,500,001 & UP	\$900.00

FIREWORKS STANDS

(Per location) \$325.00

MOBILEHOME PARKS

(Per each lot capable of occupancy) \$160.00

REAL PROPERTY

(Regardless of improvements)

Real Property

For the purpose of this schedule of service charges the term “real property” means:

- (a) Real Property which has improvements or is unimproved by any residence, structure, fixture, building, quarry, or any other artificial building structure; or
- (b) Real Property which does or does not have situated upon said real property for any part of the year any moveable structure, mobile home, trailer, camper, equipment or rolling equipment, whether temporary or permanent, whether for a portion of the year or for the entire year; or
- (c) Real Property, which is or is not utilized for any residential or commercial purpose at any time during the year.

Service Charges

The service charge for any parcel of real property shall be based on the current Market Value as determined by the Jefferson County Tax Assessors Office for tax purposes and/or the Board of Equalization. These service charges shall be assessed as follows:

Current Market Value multiplied by .0005 = Total Service Charge

- (a) The minimum charge for any and all Real Property shall be \$20.00 per year.

SECTION SIX

The Service Charge levied herein shall be due and payable on the first day of November each year, commencing November 1, 2014. The service charges shall apply to Property owners of record on the first day of November each year, and said property owners shall be liable for the entire annual charge and there shall be no proration's thereof. The annual charge shall become delinquent if not paid to the District by mail at P.O. Box 267, Palmerdale, Alabama 35123 or by electronic payment to the Palmerdale Fire District or by hand at the Palmerdale Fire Station, 5340 Miles Springs Road, Palmerdale, Alabama, on or before the thirty-first day of January each year commencing in 2015. In the event payment is not received on or before the thirty-first day of January each year, payment shall be deemed delinquent February 1; and there shall be added thereto a delinquent charge of \$15.00, which shall become the obligation of the property owner served by the district. In the event that it becomes necessary, in the opinion of the Palmerdale Fire District or its' representative(s) to take action through attaching any portion of, or all moneys owed to the District, to the yearly property tax assessment through the Jefferson County Tax Collectors Office to include any fees charged by the county for such service, or through any attorney retained by the District to collect any delinquent service charge and/or late charges, an attorneys fee equal to not less than one-third of the total outstanding service charge and late charges shall be added, together with any and all applicable court costs, and the same shall also constitute and be a lien against the property as set out herein above.

SECTION SEVEN

In the event a residential dwelling or commercial building is constructed or placed upon property subsequent to November 1 of any year and the property owner was not subject to the annual service charge for the improvements on November 1, then in such event the property owner shall become liable for the annual service charge on for the improvements on a prorated basis commencing on the first day of the calendar month next succeeding that month in which construction or placement was complete. The prorated service charge shall become delinquent unless paid on or before the last day of the third month subsequent to the date the annual service charge was to have been paid on a prorated basis. In the event said prorated service charge has not been paid within said time, there shall be added thereto a delinquent charge of one-third of the prorated service charge or \$15.00, whichever is lesser, which shall become the obligation of the property owner served by the District. Any such charges shall be subject to the same terms and conditions as set out herein above with regard to delinquent charges.

SECTION EIGHT

This Service charge Ordinance shall take effect and be enforced upon the occurrence of the following. (1) The ordinance has been published in some newspaper of general circulation in the district and at least eight days have elapsed after such newspaper publication; (2) Eight days have elapsed after the ordinance in full was posted at the Palmerdale Fire Stations, 5340 Miles Spring Road, Palmerdale; 8550 Bradford Trafford Road, Bradford. (3) The time prescribed for filing a petition for a service charge election expires without any such petition being filed, as provided by law, or (4) The service charge ordinance has been approved at a service charge election, as provided by law.

SECTION NINE

The Board of Directors of the Palmerdale Fire District do hereby reserve the right, if deemed necessary by The Board, to raise the rates of the Service Charges contained here in with direct relation to an increase in the yearly Consumer Pricing Index or CPI without requirement to publish another ordinance for public review.

THIS ORDINANCE ADOPTED AND APPROVED BY UNANIMOUS CONSENT OF THE BOARD OF TRUSTEES OF THE PALMERDALE FIRE DISTRICT ON THIS THE 8TH DAY OF MAY 2014.

Thomas R. Mauldin, President

ATTEST:

Charles F. Glenn, Secretary