

COMMONWEALTH OF KENTUCKY
OWEN COUNTY
ORDINANCE # 243

AN ORDINANCE AMENDING ORDINANCE NUMBER 202 GRANTING THE
AUTHORITY FOR COLLECTION OF FIRE DEPARTMENT MEMBERSHIP FEES,
BY CREATING A NEW **SECTION VIII**

AN ORDINANCE PERTAINING TO THE PUBLIC HEALTH, SAFETY AND
WELFARE; REGULATING THE COLLECTION OF MEMBERSHIP FEES BY FIRE
DEPARTMENTS WITHIN OWEN COUNTY

This ordinance is effective and enforceable per the provisions of KRS 75.450.

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of the County of Owen,
this ordinance shall be known as the Fire Department Membership Fee Ordinance and
shall be effective for the unincorporated areas of Owen County and the incorporated
areas of Monterey and Gratz, Kentucky.

SECTION I - DEFINITIONS

For the purpose of this ordinance the following terms shall be deemed to have meaning
indicated below:

FIRE DEPARTMENT - A fire department established under the provisions of KRS
Chapter 67, a fire department established under the provisions of KRS Chapter 75 or a
corporate fire department established under KRS Chapter 273.

MEMBERSHIP FEES - Membership fees or membership dues that are levied by a fire
department in order to provide fire protection services for a certain tract of land in lieu of
assessing a charge for fire protection services actually rendered.

TAX BILL - The property tax bill as prepared and submitted by the sheriff to property
owners in Owen County, Kentucky.

SECTION II - MEMBERSHIP FEES

The Membership Fees shall not exceed \$35.00 per tax bill for non-commercial property
and \$75.00 for commercial property within the unincorporated areas of Owen County and
the incorporated areas of Monterey and Gratz, Kentucky. Owners of multiple parcels of
non-commercial property shall be required to pay a maximum of \$70.00 but fire services
shall be provided on all of their properties without further charge. Owners of multiple
units who are husband and wife where some units are owned by one individual and others
are jointly owned shall be considered together as the same ownership. Property owners

who owe no property tax by reason of the homestead exemption or value of property shall be entitled to fire coverage but are exempt from payment of this membership fee.

The Membership Fees shall be divided equally among eligible Fire Departments.

SECTION III - REQUESTS

In order to have its Membership Fees added to the property tax bills for Owen County, all Fire Departments must submit a written request to the Owen Fiscal Court requesting to have its Membership Fees added to the property tax bills for Owen County.

SECTION IV - CONDITIONS/REQUIREMENTS OF REQUEST

The request set forth in Section III above shall contain the following;

- A. The name of the Fire Department;
- B. A description of the Fire Department's area for which it covers;
- C. Annual budget from said Fire Department;
- D. Verification of the Fire Department's agreement to continue County Wide Automatic Aid;
- E. Verification that the Fire Department is in good standing with the Kentucky Secretary of State;
- F. Verification that the Fire Department is complaint with the Kentucky Fire Commission;
- G. Verification that the Fire Department is registered with local government as required by KRS 65A;
- H. Proof of service contact with the Corinth Volunteer Fire Department;
- I. Proof that the treasurer and chief of said Fire Department is appropriately bonded;
- J. A statement that none of the Membership Fees collected through the procedure provide by ordinance shall be used for salary related expenses. Reimbursement for personal expenses for fire members shall be approved by each fire chief and/or executive officers of each Fire Department;
- K. A statement that the membership fees received shall only be used for training, equipment, debt services, insurance, fire house construction and maintenance, utilities and flush hydrant maintenance fees;
- L. Verification that the fire department has a minimum of three (3) separate bank accounts. One for each of the following:
 - (1) Owen County Fire Membership fees;
 - (2) State aid received by the Kentucky Fire Commission;
 - (3) Donations, grants, any other monies collected, etc..

SECTION V - FINANCIAL STATEMENTS

Each Fire Department shall provide a financial statement on a quarterly basis to the Owen Fiscal Court, for the fire Membership Fee account only, and shall be subject to an audit

by the Owen County Treasurer, or private audit at the discretion of the Owen County Fiscal Court. This financial statement shall be an itemized statement of income and expenses broken down by category with beginning and ending bank balances, check numbers, payees and amounts. All credit card transactions and/or online purchases shall have attached receipts showing the purchase, date of purchase and amount of purchase.

SECTION VI - ANNUAL FILINGS

After receiving approval of the Owen County Fiscal Court to add its Membership Fees to the property tax bills each fire department shall file the following:

- a. On or before June 15th of each year its budget for the next year;
- b. The Owen County Fiscal Court policy shall be followed for the purchase of any equipment;
- c. The county may audit the financial records of any Fire Department at any time with the cost of the audit being the responsibility of the Fire Department.

SECTION VII - REVOCATION

A Fire Department's right to have its Membership Fees added to the property tax bills or have the fees collected paid to them may be revoked by the Owen Fiscal Court upon the following grounds:

- a. The expenditure of funds for non fire related equipment or activities;
- b. Failure of the Fire Department to provide fire protection services to the citizens of Owen County;
- c. Dissolution of the Fire Department;
- d. Failure to comply with any provision of this ordinance;
- e. Failure to stay in compliance with any provision of this ordinance;
- f. Any violations of state or federal laws.

SECTION VIII – SHERIFF’S FEES

Per KRS 75.450(8) the collection fee for the Owen County Sheriff to retain shall be the amount of four and one-fourth percent (4.25%) of the membership charges/fees collected

Upon introduction and given first reading before the Owen County Fiscal Court on the ___ day of _____, 2023 and a motion having been made by Magistrate _____ and seconded by Magistrate _____ and following discussion the same was approved as the first reading.

Published in the Owen County News Herald on the ___ day of _____ 2023.

Given second reading by the Owen County Fiscal Court at a duly convened meeting thereof held on the ____ day of _____, 2023, upon motion of Magistrate _____ that the ordinance be passed adopted and approved and seconded by Magistrate _____ with a roll call vote as follows:

- District 1: Tom Slayback _____
- District 2: Dane Perkins _____
- District 3: Wayne Harris _____
- District 4: Travis Fitzgerald _____

WHEREUPON Ordinance ____ is declared adopted on its second reading this ____ day of _____, 2023.

Given final publication in the Owen County News Herald on the _____ day of _____, 2023.

Stuart
County Judge/Executive

ATTEST:

Laurel Stivers
Fiscal Court Clerk