

80-1539. Same; contracts with other township for fire protection, procedure. The township board of any such township maintaining a fire department may contract with any township board to furnish fire fighting service to such township upon such terms and for such compensation as may be agreed upon by the township boards of such townships: *Provided*, The township furnishing fire protection to another township shall not be liable in any way for the failure of the fire department to attend a fire, or to put out a fire or for any other reason, but the fire department, subject to the conditions of this act, shall make a reasonable effort (road and weather conditions permitting) to attend fires outside said township and within the township with whom such contract for fire protection is made: *Provided*, The fire chief or person in charge of the fire department shall have the right in every case to determine whether or not the township furnishing the fire protection can spare all or any portion of its fire fighting equipment and firemen at that particular time: *Provided further*, That the compensation shall always be at least sufficient to pay the township furnishing fire fighting service for the reasonable use of equipment and for the cost of material used on the run and fighting the fire, to pay the firemen and to enable the township furnishing the fire fighting service to carry a sufficient amount of insurance to indemnify it for loss or damage to any fire fighting equipment or injury or damage to person or property (if the township furnishing the fire fighting service be actually liable therefor): *Provided further*, All such contracts shall be made by resolution and the agreement as set out in the resolution shall be signed by the township trustee of each township and attested by the township clerk of each township.

The agreement shall state the amount the township receiving the fire fighting service shall pay therefor, the rules and regulations governing the furnishing of fire fighting service, and such other matters as may be necessary to fully set out the duties and responsibilities of the parties, and the agreement may be amended or changed or added to by a mutual agreement of the township boards in the same manner as that in which the original contract was entered into. The compensation agreed upon shall be a legal charge and collectible by the township rendering the fire fighting service in any court of competent jurisdiction. The township board of any such township which enters into a contract with another township to provide it with fire fighting service may levy an annual tax at the rate of not to exceed one (1) mill for the purpose of paying for such fire fighting service.

History: L. 1963, ch. 478, § 2; June 30.