

ORDINANCE NO. 23-0508-1

An Ordinance to Amend Ordinance No. 16-0730-1

BE IT RESOLVED AND ORDAINED by the Board of Trustees of the Concord Fire District as follows:

Section 1: Definitions. As used herein, the following terms shall have the meaning herein described to them:

- (a) "The district" means the Concord Fire District.
- (b) "Residential unit" means a building, occupied mobile home designed for a dwelling place, apartment building/complex, or duplex, being considered as a separate residential unit.
- (c) "Business unit" means a building, stationary or portable, a mobile home or a unit of a building occupied or designed for business purposes wherein business is conducted. "Business entity" means an individual business or business location within a "business unit."
- (d) "Assessment" means the service charge levied in accordance with Section 12, Act 79, and shall include the annual charge, prorated charge, and/or, where applicable, processing fee, attorney fee, interest, and collection fees.
- (e) "Unit under construction" means a building, dwelling or other structure or unit thereof, whether business, residential, or other, that is under construction and wherein there has been a building permit issued. The one owning said unit under construction shall be liable for the assessment 45 days from the date a building permit is issued for said unit and said assessment shall be prorated where appropriate.
- (f) "Church/School" unit means a permanent or portable building or group of buildings, and/or structure occupied or designed for religious and/or educational assembly, instruction, and/or activities are conducted.
- (g) "Hardship status" means any property owner that has applied to the Board and been granted, by unanimous vote, exemption from the sale of their property. This exemption does not exempt the property owner from the assessment.
- (h) "Board of Trustees", hereinafter referred to as the Board, means a five-member board appointed by the Jefferson County Commission entrusted with the authority to manage the affairs and business of the district.
- (i) "Member" means any property owner within the District subject to assessment according to provisions of Section 12, Act No. 79, Special Session of the Alabama Legislature, 1966, p. 106, as amended by Section 2, Act No. 841, Alabama Legislature, regular session, 1971, p. 1597.

- (j) "Fireworks Sale Stand" means any structure that is used for the sale of fireworks for any part of the year.

Section 2: The assessment, established by the Board shall be levied upon and collected pursuant to Section 12, Act 79, from persons owning developed or vacant land served by the Concord Fire District. The assessment shall be a personal obligation of each person owning any interest in any tract of land in the district for which the assessment is provided for by Section 3, below. To secure collection thereof, the unpaid assessment which is 60 days delinquent shall be a lien in favor of the district against the building in which such unit is located and/or on the land on which such building or unit is situated. The lien shall be enforceable by sale of the unit and/or land according to the conditions set forth by the Legislature in Act No. 79, except in the case wherein the Board has granted hardship status.

Section 3: The annual assessment shall be as follows:

Residential Unit:

Apartment per unit	\$300.00
Duplex per unit	\$300.00
Single Family dwelling	\$300.00
Mobile Home	\$300.00
Each Parcel will be assessed 0.0005% of the Land Value (\$20 Min), as currently valued by Jefferson County Tax Assessment, billable to property owner.	

Business Unit:

6,000 Sq. Feet or less	\$385.00
Additional business entity	\$133.06
More than 6,000 Sq. Feet	\$0.08 per additional Sq. Feet
Storage facility	15.65 per door
Hazardous or explosive material stored on site and/or for wholesale or retail.	782.00 surcharge
Each Parcel will be assessed 0.0005% of the Land Value (\$20 Min), as currently valued by Jefferson County Tax Assessment, billable to property owner.	

Fireworks Sales Stand: \$782.00

Church/School Units: EXEMPT

Gas Wells: \$640.00 per well

Forestry Land: \$1.50 per acre 2023/24

\$1.00 per acre 2024/25

Land determined to be Forestry land as determined by Jefferson County Tax Assessment. It will be assessed as accumulative land held by the same owner. If the service charge is based upon land value as stated above, the value shall be based on the current Market Land Value

Vacant Land:

Vacant land 0.0005% of Land Value (\$20 Min)

Vacant land will be assessed as accumulative land held by the same owner. If the service charge is based upon land value as stated above, the value shall be based on the current Market Land Value

Section 4: The assessment for fire calls made to a property outside the District, except in cases of mutual aid to a requesting Fire Department or area-wide disaster shall be five hundred (\$500.00) dollars.

Section 5: The annual assessment for land, residential, business units, and units under construction, provided for in Section 3, above, shall be payable on the first day of assessment year (September 1) as to persons or properties subject to the assessment on that date. A person or property subject to the annual assessment on the first day of the assessment year shall remain liable for the entire assessment until such is paid in full. The sale or transfer of one's interest in the assessed property served by the District shall not affect his liability for said charge.

The annual assessment shall become delinquent forty-five (45) days following the date on which it became due. The owner of a unit under construction will be delinquent forty-five (45) days subsequent to a building permit being issued for said unit. AT the time an account becomes delinquent, the property shall be subject to a lien being placed on the property as provided in Section 12, Act No. 79, and shall remain until the account is paid in full.

When an annual assessment or part thereof, or a prorated assessment or part thereof, becomes delinquent as prescribed in this section, that account shall be liable for a processing fee of fifty (\$50.00) dollars or ten percent whichever is greater. Any account outstanding thirty days after the said assessment becomes delinquent, shall be subject to interest at the rate of eight (8%) percent per annum on the unpaid part of said assessment or prorated part thereof until such time as the account is paid in full.

In the event the assessment on an account is not less than Three Hundred (\$300.00) dollars, the owner may request in advance and in writing, a monthly payment schedule with a minimum monthly payment of \$50.00. If that schedule is approved, applicable interest shall be added to the account. Furthermore, if the agreed payments

become delinquent for more than thirty (30) days, then the payment schedule shall cease at that point and the account treated as delinquent as described in Section No. 5.

Section 6: (a) Subject to the conditions and limitations herein below stated, all ordinances of the District heretofore adopted for the purpose of assessment shall be repealed upon adoption of this ordinance.

(b) No ordinance shall be repealed under provision of subsection (a) above, unless and until the assessment provided for by this ordinance become effective. The repeal of an ordinance under, or by, subsection (a), shall not discharge, or in any way, affect liability of any member under such repealed ordinance before the repeal, thereof.

(c) Any amount received by this District in payment, or partial payment, of an assessment for the current year levied by a repealed ordinance shall be deemed to have been received by the District as part payment of the assessment this ordinance levies for that period commencing with the effective date hereof, and ending on August 31, 2023.

Section 7: The provisions of this ordinance are several. If any provision or part of a provision hereof, is declared unconstitutional, or otherwise invalid, or inapplicable, such declaration shall not affect the provisions which remain.

Section 8: The secretary of the District is hereby directed to secure the substance of this ordinance to be published in a paid notice or advertisement, as soon as practical after adoption of this ordinance by the Board of Trustees. Said secretary is further hereby directed to post this ordinance in each fire station in the District, as soon as practical after the adoption of this ordinance.

Section 9: This ordinance shall become effective on September 1, 2023 or as otherwise provided by law, pursuant to the terms and conditions of Section 13, Act No. 79, Special Session of the Alabama Legislature, 1966, p. 106, as amended by Section 2, Act No. 841, of the Regular Session of the Legislature of 1971, (AL. Acts 1971 p. 1597.)

APPROVED: This 8th day of May, 2023



President, Board of Trustees



Secretary, Board of Trustees