

## 2022-2023 SCHEDULE OF SERVICE CHARGES

### **PROPOSED SERVICE CHARGE SCHEDULE FOR THE CAHABA VALLEY FIRE & EMERGENCY MEDICAL RESCUE DISTRICT**

The duly elected members of the Board of Trustees of the Cahaba Valley Fire & Emergency Medical Rescue District do hereby set the following service charge schedule effective on the fiscal year beginning October 1, 2022, and for ensuing fiscal years, or until amended in accordance with law. The new rates include a five percent increase from the previous year.

#### DEFINITIONS

When used in this schedule of service charges, the following words and phrases shall have the following meanings respectively, unless the context clearly indicates otherwise:

**Apartment** - A room or suite of rooms in a building comprising a dwelling unit separate from others in the building, and typically having its own separate bath, sanitary, and kitchen facilities. Such apartments are in most cases rented from the owner by those dwelling in them.

**Commercial Property** - For the purposes of this service charge schedule, the term "commercial property" shall mean any and all real property used for commercial purposes; including, but not limited to, stores, restaurants, service stations, repair businesses, greenhouses, nurseries, office buildings, sales office buildings, manufacturing and assembly plants, airports, night clubs, warehouses, mines, swimming pools, and quarries.

Provided, however, that any and all real Property owned by a municipality, the county, the state, or any agency or department thereof, including providers of water systems, sewer systems and other services and facilities whether or not for profit, or owned by an organized church, with an active congregation and with exemption from state and county property taxes shall not be deemed to be commercial property, and shall be exempt from all service charges.

**Commercial Structure** - For the purposes of this service charge schedule, the term "commercial structure" shall mean any structure on real property which structure is used for commercial purposes and shall include any structure whether permanent or temporary; including, but not limited to, trailers, mobile homes, campers, swimming pools, mines, quarries, and green houses.

**Contiguous Property** - For the purposes of this service charge schedule, the term "contiguous property" shall mean property which is contiguous by virtue of having a boundary line in common, or portion of a boundary line in common, with property owned by the same landowner. For the purposes of this definition, the same landowner shall

mean an identical identity of ownership, whether by individual, firm, corporation, partnership, or other legal entity or entities.

Landowners shall be deemed owners of contiguous real property if the parcels of real property which are held by common ownership are divided by public highways or public roads, and the parcel(s) on one or both sides of the public highway or public road are unimproved land. If, however, the parcels on both sides of the public highway or public road are improved land, then the parcels shall not be considered as contiguous property for the purposes of the schedule or service charges, but as distinct and separate properties.

**District** - The real property situated within the boundaries of the Cahaba Valley Fire & Emergency Medical Rescue District as described by the Petition to create the District, filed on March 25, 1982, in the Probate Office of Shelby County, Alabama and approved on May 6, 1982, and as said boundary is changed from time to time by the addition or deletion of property.

**Hotel** - An establishment that provides accommodation and other services for paying guests; normally larger than a guest house, and often one of a chain. To include extended stays.

**Landowner** - The term "landowner" shall mean the owner or owners of real property situated within the District, whether as co-owners, joint owners, individuals, firms, corporations, partnerships, or other legal entities. For the purposes of this schedule of service charges, each co-owner or joint owner, whether an individual or other legal entity, shall be deemed to be separately and severally liable and responsible for the service charges and other costs and expenses assessed herein.

**Mixed Use Property** - For the purposes of this service charge schedule, the term "mixed use property" shall include the following:

(a) A commercial enterprise, school, church, or other civic, educational, religious, or service organization which provides residence, residential accommodation, or housing to employees or any persons whatsoever.

(b) Residential property on which is established any structure, building, warehouse, mobile home, trailer, camper, or equipment, whether moveable or fixed, whether permanent or temporary, which is used for commercial purposes.

(c) Residential property which has situated thereon, multiple houses, structures, buildings, warehouses, mobile homes, trailers, equipment, whether moveable or fixed, whether permanent or temporary, which are used for residential purposes.

**Motel** - A lodging establishment typically featuring a series of rooms whose entrance is immediately adjacent to a parking lot, as might facilitate easy access to one's automobile during an overnight stay, particularly located near a major highway. To include extended stays.

**Parcel** - A unit of real property that has been designated by the Shelby County Tax Assessor's office with an individual identification number, or has been designated on the Ownership Map, County of Shelby - Ad Valorem Tax Division.

**Residential Property** - For the purpose of this schedule of service charges the term "residential property" shall mean one single family house, townhouse, condominium unit, apartment, apartment unit in an apartment building, mobile home, camper, or trailer:

(a) which is constructed for occupation as a residence for a single family, whether occupied as personal residence by the landowner, or unoccupied by the landowner but maintained for non-commercial personal purposes by the landowner; or

(b) which is operated, maintained, or used for rental purposes, or for any residential purposes whatsoever, and whether or not occupied.

The term "residential property" includes all outbuildings, such as garages, sheds, stables, campers, and swimming pools which are used by the landowner or others in conjunction with the primary residence.

**Unimproved Real Property** - For the purposes of this schedule of service charges the term "unimproved real property" means:

(a) Real property, which is unimproved by any residence, structure, fixture, building, swimming pool, quarry, or any other artificial building or structure.

(b) Real property which does not have situated upon said real property for any part of the fiscal year any movable structure, mobile home, trailer, camper, equipment or rolling equipment, whether temporary or permanent, whether for a portion of the fiscal year or for the entire fiscal year.

(c) Real property which is not utilized for any residential or commercial purpose at any time during the fiscal year.

## **APPLICATION OF SERVICE CHARGES**

1. Upon approval of these service charges in the manner provided by law, all service charges levied pursuant to this schedule of service charges shall be levied upon every landowner of real property within the District, irrespective of whether any individual landowner or landowners require or consent to the services of the District.
2. All service charges, additional charges and legal expenses assessed pursuant to this schedule of service charges shall be levied upon the landowners of the real property, whether individuals or entities. In the event of joint ownership, co-ownership, partnerships, or multiple ownerships, each owner or general partner shall be severally and separable liable for the service charges and other charges levied pursuant to this schedule of service charges.
3. Service charges shall be assessed for each fiscal year, which fiscal year shall commence on the first day of October of each year and shall conclude on the 30th day of September of the successive year. Service charges which change or accrue during the fiscal year shall be due and payable upon receipt of an invoice for such charges. Annual service charges shall be due and payable on the first day of each fiscal year.

4. The service charges on commercial structures which are temporary shall be levied based on the maximum square footage of all the structures located on the property during the applicable fiscal year.
5. Square footage shall be calculated from the exterior walls and shall include all overhangs, porches, and covered areas. If there is more than one floor, the service charge will be calculated based on the sum of the square footage of all the floors.
6. Service charges, interest, legal expenses, or other charges payable pursuant to this schedule of service charges shall constitute a lien against the property and improvements thereon for which said unpaid charges are payable and said lien shall be enforceable by foreclosure and sale of the property and improvements to the extent permitted by law, and in the same manner in which foreclosure of municipal assessments for public improvements are authorized.
7. If service charges for any fiscal year are unpaid by December 31st of that fiscal year, a late payment fee equal to ten percent (10%) of such charge, but not less than Fifteen Dollars (\$15.00), shall be immediately payable as the late charges for that fiscal year. Additionally, all unpaid service charges shall accrue interest from January 1st of the fiscal year at the rate of eighteen percent (18%) per annum.
  - (a) If service charges accrue during the fiscal year, and service charges are unpaid for such properties three months after the due date, the above stated late payment fee shall be payable. Similarly, interest shall begin to accrue on any such unpaid charge three months after the due date and shall be payable at the above stated interest rate of eighteen percent (18%) per annum.
  - (b) Interest at the above stated rate shall accrue and be payable from the date due on any other charges pursuant to this service charge schedule, including late payment fees.
8. In the event that any unpaid balance is placed with an attorney for collection or foreclosure, the landowner shall be liable for all reasonable attorney's fees, costs and expenses incident thereto, including but not limited to costs of court, advertisement and sale.
9. Service charges on new construction shall begin to accrue on the date that the structure is roofed. All service charges on new construction shall be prorated for that fiscal year from the month that such charges begin to accrue, provided that if such charges begin to accrue before the 15th day of the month, such charges shall be payable for the entire month; if, however such service charges begin to accrue on or after the 15th day of the month, service charges shall be prorated from the first day of the following month.
10. All service charges and other charges payable pursuant to this service charge schedule may be appealed to the Board of Trustees of the District, provided that such notice of appeal plus a non-refundable Fifteen Dollar (\$15.00) fee is submitted to the Board in writing within thirty (30) days of billing for such charges or expenses. On filing such appeal, the Board shall set the hearing for said appeal on the agenda of the Board's next

regularly scheduled meeting. In the event that the Board determines that the charges or expenses previously assessed shall be reduced, the Fifteen Dollar (\$15.00) appeal fee shall be deducted from the amount appealed, or shall be refunded, if no amounts are due and payable. The decision of the Board shall be final.

11. For the purposes of billing, all amounts payable pursuant to this rate schedule shall be deemed to have been billed on the date of mailing by the District to the address of the property, whether or not such property has mailboxes, unless some other address is provided by the landowner. The landowner shall have the obligation to notify the Board of Trustees in writing of the correct mailing address of such landowner, if the mailing address of the property differs from the address to which the landowner normally receives correspondence and billing.
12. The Board of Trustees shall have the right, exercisable after a hearing, to waive service charges and other costs and expenses, if, in the opinion and sole discretion of the Board, the landowner is found to be indigent, or for such other good cause shown.
13. If any term, provision, or portion of this schedule of service charges is held by a court of competent jurisdiction to be invalid, void, of unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected or invalidated.
14. The Board of Trustees has determined that ambulance service shall be provided within the District, and the Board shall establish the appropriate charge for such service, provided, however, that service charges paid by residents of the District shall satisfy any ambulance charge not covered by Medicare, Medicaid, or insurance.
15. All owners and/or occupants of apartments, commercial properties, condominiums, hotels, motels, residential properties, and townhouses (exclusive of owners and occupants of apartments or commercial properties served only by private metered fire hydrants with no annual maintenance charge) in all areas of the District and within 1,000 radial feet of a Birmingham Water Work's fire hydrant shall as of October 1<sup>st</sup> in each fiscal year be assessed an amount computed as set forth below, in addition to any charges otherwise due to the District, such annual charges to enable the District to pay to Birmingham Water Works the annual charges for fire hydrants and any amounts incident to their installation, maintenance, and other costs related to the computation of annual charges on the lines of such water system within the District, but offer allowances for any installation costs on prepayment of annual charges assessed against developers by Birmingham Water Works; when the annual rental for such fire hydrants in the District is established at no more than \$217.80 (exclusive of utility tax) this surcharge shall be \$12.00, and there shall be a \$1.00 increase in such surcharge for each \$10.00 or any part thereof by which the annual rental (exclusive of utility tax) exceeds \$217.80.

## Residential Rates

Residential rates are tied to property value, as assessed by the Shelby County Revenue Department

### Property value

From	To	Dues Amount
\$0.00	\$99,999.99	\$207.85
\$100,000.00	\$199,999.99	\$266.11
\$200,000.00	\$299,999.99	\$321.19
\$300,000.00	\$399,999.99	\$381.05
\$400,000.00	\$499,999.99	\$437.84
\$500,000.00	\$599,999.99	\$496.00
\$600,000.00	\$699,999.99	\$551.10
\$700,000.00	\$799,999.99	\$609.37
\$800,000.00	\$899,999.99	\$667.63
\$900,000.00	\$999,999.99	\$722.74
\$1,000,000.00	\$1,099,999.99	\$781.00
\$1,100,000.00	And over	\$840.83

## Commercial / Vacant Property / Apartment / Hotel / Motel / Mobile Home Rates

Commercial Rates are based on square footage of roofed floor space

<b>Commercial Property Rates</b>		-----
Property protected by automatic sprinklers		\$0.1498 per square foot, per year
Property not protected by automatic sprinklers		\$0.1662 per square foot, per year
<b>Vacant Property Rates</b>		-----
Vacant property less than 100 acres		\$52.92 per year
Vacant property over 100 acres		\$0.53 per acre with a maximum of \$1,094.35
<b>Apartment Rates</b>		-----
Each apartment unit		\$352.80 per year
Offices and Club Houses		\$0.1853 per square foot per year
<b>Hotel / Motel Rates</b>		-----
Each room		\$110.25 per year
Offices and Club Houses		\$0.1764 per square foot per year
<b>Mobile Home Rates</b>		-----
Mobile Homes		\$207.85