The Town Tea Leaves – Fire Protection in Towns

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Link to recording: https://us02web.zoom.us/rec/play/WCvTtivBGxWEhEH7nnKsT2xCmAWct2m2NraXuWhBO8Z8NCeBU3hY8fGaGCMs7AO_HHXA9CLVS-VAdbnr.6YA6g5Xm9poB04Ua?continueMode=true&_x_zm_rtaid=AgMsOxEBRJWUMq0_3B

- Towns are required to provide fire protection in any area that is town outside village (see Town Law §§ 170, 171)
- Generally provided in two manners:
  - **Fire District**
  - **Fire Protection District**
    - **Fire Alarm District** – not really used
- **Fire District** - provides fire protection services within the district as a “political subdivision” or “district corporation,” separate and apart from the town (see Town Law § 174 [7])
  - A fire district is its own taxing entity and has its own board of separately elected commissioners
  - A fire district is an independent unit of government – administered by the fire commissioners
  - Boundaries are outside of any incorporated village or town fire protection district
  - Board of fire commissioners annually prepare fire district budget – public hearing is the third Tuesday in October
    - Board must adopt the budget by November 4
    - Fire district secretary delivers two certified copies to the town clerk within three days of adoption
    - Fire district is appended to the town’s budget and levied along with town and county taxes – the town cannot make any changes to the fire district budget (see Town Law § 181)
- **Fire Protection District** – a geographic area (town outside village and outside of any fire districts) where the town contracts with any city, village, fire district or incorporated fire company to furnish fire protection within the fire protection districts (see Town Law §§ 170, 171, 183, 184)
  - Fire protection is furnished pursuant to a contract and may be for fire protection, emergency services and / or general ambulance services
  - The contract can be for up to five years and must be for a definite sum
  - Contract must be advertised by the town board, and there must be a public hearing before the contract is approved
- **Financial Transparency** - In 2017, legislation was adopted requiring fire companies to file pertinent financial information prior to the contract negotiation process

- **Water Supply in Fire Districts** - instead of charging for water, the town board may, without charge, permit the use of water from hydrants of a water district for fire purposes in all or any part of the area of a fire district, fire protection district, fire alarm district or "unprotected area" that is wholly or partly included within the area of the water district.