

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 724

S.P. 254

In Senate, March 5, 2015

An Act To Authorize Municipal Fire Districts To Impose Service Charges

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senator: DAVIS of Piscataquis.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §3158** is enacted to read:

3 **§3158. Municipal fire districts**

4 **1. Ordinance.** A municipal legislative body may enact an ordinance to create a
5 municipal fire district within the municipality either as part of or independently from a
6 fire district established pursuant to chapter 164, referred to in this section as "a multi-
7 municipal fire district."

8 A. A municipal fire district established pursuant to this section, if independent from
9 a multi-municipal fire district, may contain all or part of the municipality.

10 B. A municipal fire district established pursuant to this section by a municipality that
11 is a member of a multi-municipal fire district must encompass the entire municipality.
12 The financial administration of such a municipal fire district is governed by
13 subsection 5.

14 **2. Service charges.** A municipal fire district ordinance under subsection 1 must
15 establish service charges for fire protection within the municipal fire district based on an
16 estimate of the cost of providing the services in the same manner as those costs are
17 estimated pursuant to section 3537. The service charges must be levied against all
18 property owners or parties in possession of property within the municipal fire district,
19 including institutions and organizations otherwise exempt from taxation under Title 36,
20 sections 651 and 652. Unless otherwise established by ordinance, the service charges to
21 each owner or person in possession of property within the municipal fire district must be
22 established on the basis of a fee per square foot of building determined by dividing the
23 estimated total cost of providing fire services to the district by the total square footage of
24 all built properties within the district. Any alternative to this method of calculation as
25 established by ordinance must be reasonably designed to more accurately reflect the
26 distribution of fire protection costs among different types and uses of properties within
27 the municipal fire district. With respect to the calculation and levy of service charges,
28 appeals must be made in accordance with an appeals process provided by municipal
29 ordinance.

30 **3. Unpaid service charges; collection.** The collection of unpaid service charges
31 levied pursuant to subsection 2 must be carried out in the same manner as provided in
32 Title 38, section 1208.

33 **4. Revenues; use.** Municipalities must use the revenues accrued from service
34 charges levied pursuant to subsection 2 to fund the cost of fire protection.

35 **5. Participation by municipality in multi-municipal fire district.** A municipality
36 that is a member of a multi-municipal fire district that elects to create a municipal fire
37 district to cover the costs of the municipal fire district is governed by this section, except
38 as provided in this subsection.

39 A. The municipality may participate in the funding of the multi-municipal fire
40 district as provided in chapter 164.

