**§ 184. Fire protection districts.** * 1. Whenever the town board shall have established or extended a fire protection district pursuant to the provisions of this article, the town board shall provide for the furnishing of fire protection within the district and for that purpose may (a) contract with any city, village, fire district or incorporated fire company maintaining adequate and suitable apparatus and appliances for the furnishing of fire protection in such district or (b) may acquire by gift or purchase such apparatus and appliances for use in such district and may contract with any city, village, fire district or incorporated fire company for operation, maintenance, and repair of the same and for the furnishing of fire protection in such district, or both. The contract may also provide for the furnishing of (1) emergency service in case of accidents, calamities or other emergencies in connection with which the services of firefighters would be required and (2) general ambulance service subject, however, to the provisions of section two hundred nine-b of the general municipal law. In the event that the fire department or fire company furnishing fire protection within the district pursuant to contract does not maintain and operate an ambulance then a separate contract may be made for the furnishing within the district of emergency ambulance service or general ambulance service, or both, with any city, village or fire district the fire department of which, or with an incorporated fire company having its headquarters outside the district which, maintains and operates an ambulance subject, however, in the case of general ambulance service, to the provisions of section two hundred nine-b of the general municipal law, or with an ambulance service, certified or registered pursuant to article thirty of the public health law. Any such contract with any such ambulance service permitted herein shall be subject to the provisions of this section.

* NB Effective until April 9, 2031

* 1. Whenever the town board shall have established or extended a fire protection district pursuant to the provisions of this article, the town board shall provide for the furnishing of fire protection within the district and for that purpose may (a) contract with any city, village, fire district or incorporated fire company maintaining adequate and suitable apparatus and appliances for the furnishing of fire protection in such district or (b) may acquire by gift or purchase such apparatus

and appliances for use in such district and may contract with any city, village, fire district or incorporated fire company for operation, maintenance, and repair of the same and for the furnishing of fire protection in such district, or both. The contract may also provide for the furnishing of (1) emergency service in case of accidents, calamities or other emergencies in connection with which the services of firefighters would be required and (2) general ambulance service subject, however, to the provisions of section two hundred nine-b of the general municipal law. In the event that the fire department or fire company furnishing fire protection within the district pursuant to contract does not maintain and operate an ambulance then a separate contract may be made for the furnishing within the district of emergency ambulance service or general ambulance service, or both, with any city, village or fire district the fire department of which, or with an incorporated fire company having its headquarters outside the district which, maintains and operates an ambulance subject, however, in the case of general ambulance service, to the provisions of section two hundred nine-b of the general municipal law, or with an ambulance service, certified or registered pursuant to article thirty of the public health law, which is not organized under the provisions of section two hundred nine-b of the general municipal law. Any such contract with any such ambulance service permitted herein shall be subject to the provisions of this section.

* NB Effective April 9, 2031

1-a. (a) Except as provided in paragraph (b) of this subdivision, prior to commencing the negotiation process for such contract with an incorporated fire company, the incorporated fire company shall file with the town board a statement itemizing the estimated costs of the incorporated fire company attributable to the provision of services under the prospective contract. The estimated costs attributable to the provision of services under the prospective contract itemized in the statement shall include, at a minimum, those, if any, for: supplies; materials; operation, maintenance and repair of equipment and apparatus; insurance; training; protective clothing, gear and other personnel costs; building rental, maintenance and operation; and a specified proportionate share of capital costs. If the fire company is required to

prepare any of the following documents, copies shall be included with the statement:

(1) the fire company's most recent annual report of directors pursuant to section five hundred nineteen of the not-for-profit corporation law;

(2) the fire company's most recent verified certificate pursuant to subdivision (f) of section fourteen hundred two of the not-for-profit corporation law;

(3) the fire company's most recent internal revenue service form 990; and

(4) the fire company's most recent annual report pursuant to section thirty-a of the general municipal law.

(b) The provisions of paragraph (a) of this subdivision shall not apply to the renewal of a contract when the contract is deemed renewed in accordance with subdivision four of this section. Upon good cause shown, the town board may, by resolution, waive in whole or in part the requirement that the fire company file the statement, and copies of documents, required by paragraph (a) of this subdivision.

2. The contract shall not be entered into until a public hearing has been held by the town board. Notice of the hearing shall be published at least once in at least one newspaper having general circulation in the district. The notice shall specify the time when and place where the hearing will be held, and describe in general terms the proposed contract. The first publication shall be at least ten days prior to the day specified for the hearing. Before any contract to furnish general ambulance service by an ambulance service is entered into pursuant to this section, and before any public hearing is conducted as herein provided, the consent of such ambulance service to furnish general ambulance sevice shall be obtained. Such consent shall be evidenced by a copy of a resolution certified by the secretary of a voluntary ambulance service or the chief executive officer of a professional ambulance service.

3. Except as provided in subdivision four of this section, the term of the contract shall be for a definite period of time, but in no event shall the term exceed five years. The contract year or years in all such contracts entered into after the year nineteen hundred sixty shall

terminate on December thirty-first.

4. Instead of being for a definite term as provided in subdivision three, the contract may be for an original term of one calendar year or less and provide that it shall be deemed renewed on the same basis each year thereafter for a further term of one full calendar year without any further public hearing unless one of the contracting parties shall notify the other in writing on or before the twentieth day of August that it elects to terminate the contract on December thirty-first in that year. The term of any such contract, including renewals, shall not exceed five years, but the contract may provide that there shall be less than four such renewals. If the city, village or fire district, fire department or fire company which is to furnish the service under such a contract is not a fully paid department or company, the city, village or fire district governing board, upon the request of the department or company, shall terminate the contract as provided in this subdivision. Any such contract may provide that in the month of July of each year in which such a renewal could occur the town clerk of the town in which the fire protection district or the major portion thereof is located shall notify the secretary of the fire department, fire company or ambulance service which is to furnish the service under the contract that the contract shall be deemed renewed on the same basis for a further full term of one calendar year unless one of the contracting parties shall notify the other in writing on or before the twentieth day of August that it elects to terminate the contract on December thirty-first in such year.

5. The contract shall specify a definite sum to be paid each year for all of the services to be rendered thereunder.

6. The amount which is to be paid each year pursuant to any contract entered into pursuant to the provisions of this section, together with all other expenses necessarily incurred or occasioned by reason of the establishment or extension of the fire protection district, shall be assessed and levied upon the taxable property in the district and collected in the same manner, at the same time and by the same officers as town taxes are assessed, levied and collected and, when collected,

the amount thereof shall be paid to the supervisor of the town. The supervisor shall pay to the city, village, fire district, incorporated fire company or ambulance service furnishing such service the amount to be paid each year for the service in one sum or in installments as the contract may provide.

7. If a fire protection district shall be situated partly in each of two or more towns any action which would be taken by the town board in the case of a district situated in only one town shall be taken by the town boards of the several towns acting jointly by a majority vote of the members of each of such town boards, and the notice of public hearing required by this section shall be given by the town clerks of the several towns acting jointly.

8. By mutual consent of the contracting parties, and after a public hearing held pursuant to notice in the manner aforesaid, any such contract heretofore or hereafter executed may be (1) amended, (2) terminated, or (3) terminated and a new contract may be entered into in lieu thereof, if the town board, after such hearing, shall determine, by resolution, that it is in the public interest so to do. Such notice shall state in general terms the reason why any existing contract is to be amended or terminated, and if a new contract is to be entered into the notice shall also describe the new contract in general terms.

9. The term "fire protection," as used in this section, includes inspections of buildings and properties in the fire protection district for the purposes specified in and as authorized by sections eight hundred seven-a and eight hundred seven-b of the education law, subdivision four of section three hundred three of the multiple residence law, and section one hundred eighty-nine of the town law.

10. The provisions of this section shall not be deemed to have amended subdivision two of section two hundred nine-b or section two hundred nine-d of the general municipal law, or any other general, special or local law requiring the consent of a fire department, fire company or an emergency rescue and first aid squad to the entering into of a contract for services to be performed by such department, company or squad.