

80-1501. Townships and counties contracting with cities for fire protection; procedure; reorganization as a consolidated district.

(a) Any township or county may join with a municipality in the maintenance of a fire department for the prevention and fighting of fires within their boundaries. The cost of equipment and maintenance, the payment of compensation to employees of the fire department, the rent or purchase of buildings shall be paid in such proportion as agreed upon by the parties. The governing body of the joint fire department may pay for the acquisition, installation or maintenance of one or more fire hydrants, or similar devices for fighting fires, including necessary equipment, services or supplies related thereto.

The acquisition, installation and maintenance shall be subject to the mutual agreement of the governing body of the fire department and the governing body of the rural water district which owns, operates or maintains the water line on which the fire hydrant, or other similar device for fighting fires, is to be installed. The supervision and control of the department shall be with the governing body of the municipality if the municipality joins with a township or county. The fire department members may be paid or may be volunteers and shall be subject to the limitations of this section and such rules and regulations as the municipalities adopt. Volunteer members may be paid compensation for fighting fires, responding to emergencies or attending meetings. Such departments, when organized, may incorporate as firefighters' relief associations, and such associations shall come within the purview and be subject to the provisions of and entitled to the rights under article 17, chapter 40, of the Kansas Statutes Annotated and amendments thereto.

(b) When a municipality and a township join, the agreements shall be entered into by the municipality by ordinance and by the township or county by resolution, and the agreement as set out in the ordinance and resolution shall be signed by the mayor of the city and attested by the city clerk and, in the case of a township shall be signed by the township trustee and attested by the township clerk and, in the case of a county shall be signed by the chairperson of the board of county commissioners and attested by the county clerk. The agreement shall state the amount each party shall contribute, the rules and regulations governing the department, and such other matter as may be necessary to specify the duties and responsibilities of the parties. The agreement may be amended or changed or added to by mutual agreement of the parties in the same manner as that in which the original contract was entered. Such agreement may be terminated if one party passes or adopts an ordinance or resolution declaring its intention to carry out the agreement no longer. When an agreement is terminated, one party may pay the other for its share of the equipment or apparatus or the apparatus may be sold. Any money in the treasury shall be divided pro rata as it was paid into the treasury. No election shall be required to authorize the township board, board of county commissioners or governing body of any municipality to enter into such agreement, but the township board, board of county commissioners or governing body of a municipality shall have the power to decide whether to enter into such contract.

(c) The governing body of any joint fire department created pursuant to this section may reorganize itself as a consolidated fire district in the manner provided for the consolidation of fire districts pursuant to K.S.A. 12-3910 et seq., and amendments thereto.

History: L. 1931, ch. 113, § 1; L. 1951, ch. 512, § 1; L. 1953, ch. 463, § 1; L. 1996, ch. 184, § 11; L. 1997, ch. 74, § 4; L. 2002, ch. 150, § 5; L. 2004, ch. 26, § 6; July 1.