

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 1110

Short Title: Ten-Ten Fire District Governance. (Local)

Sponsors: Representative Dollar.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

November 29, 2018

1 A BILL TO BE ENTITLED
2 AN ACT REGARDING THE GOVERNANCE OF THE FAIRVIEW (TEN-TEN) FIRE
3 PROTECTION DISTRICT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** The Wake County Board of County Commissioners shall do all of
6 the following:

7 (1) Reestablish the tax levied under Article 3A of Chapter 69 of the General
8 Statutes within the boundaries of the Fairview fire protection district at the
9 same rate as that currently levied in the Wake County fire protection service
10 district.

11 (2) Remove the Fairview fire protection district from the Wake County fire
12 protection service district and from the jurisdiction of the Wake County Fire
13 Commission. Nothing in this act is intended to prevent the Wake County Fire
14 Commission from contracting with the Fire Protection District Commission
15 established by Section 2 of this act regarding fire protection in areas outside
16 the boundary of the Fairview fire protection district or the provision of
17 services other than fire protection.

18 **SECTION 1.(b)** All firefighting apparatus and equipment located at either station of
19 the Fairview Rural Fire Department shall become the property of the Fairview Rural Fire
20 Department. This subsection shall not apply to any vehicle and associated equipment located at
21 a station of the Fairview Rural Fire Department under a contract for the provision of services
22 other than fire protection.

23 **SECTION 1.(c)** Funds collected by the Fairview Rural Fire Department from donors
24 and fundraising events and held administratively by Wake County shall remain the property of
25 the Department, shall not be used for any general fund or fund balance requirements, and shall
26 remain available for use at the direction of the Board of Directors of the Fairview Rural Fire
27 Department.

28 **SECTION 2.** G.S. 69-25.7 reads as rewritten:

29 "**§ 69-25.7. Administration of special fund; fire protection district commission.**

30 The special fund provided by the tax herein authorized shall be administered to provide fire
31 protection as provided in G.S. 69-25.5 by ~~the board of county commissioners or the joint boards~~
32 ~~of county commissioners, if the area lies in more than one county, or by a fire protection district~~
33 ~~commission of three qualified voters of the area, to be known as _____~~

34 _____ (Here insert name)



1 ~~Fire Protection District Commission, said board to be appointed by the board of county~~
2 ~~commissioners or the joint boards of county commissioners, if the area lies in more than one~~
3 ~~county, for a term of two years, said commission to serve at the discretion of and under the~~
4 ~~supervision of the board of county commissioners or boards of county commissioners if the area~~
5 ~~lies in more than one county.~~a Fire Protection District Commission of three qualified voters of
6 the district to be known as the Fairview Fire Protection District Commission. One district
7 commissioner shall be appointed by the Board of County Commissioners, and the other two
8 commissioners shall be selected by the Board of Directors or by open meeting of the membership
9 of the Fairview Rural Fire Department. The member of the initial commission appointed by the
10 Board of County Commissioners shall be appointed for a one-year term, and, of the two members
11 appointed by the Fairview Rural Fire Department, one member shall be appointed for a three-year
12 term and one member for a two-year term. As the terms of the initial members expire, their
13 successors shall be appointed for three-year terms. The Fire District Commission shall select its
14 own chairman."

15 **SECTION 3.** This act applies to Wake County only.

16 **SECTION 4.** This act is effective when it becomes law.