

331.385 Powers relating to emergency services.

1. A county may, by resolution, assume the exercise of the powers and duties of township trustees relating to fire protection service and emergency medical service for any township located in the unincorporated area of the county.
2. The board of supervisors shall publish notice of the proposed resolution, and of a public hearing to be held on the proposed resolution, in a newspaper of general circulation in the county at least ten days but no more than twenty days before the date of the public hearing. If, after notice and hearing, the resolution is adopted, the board of supervisors shall assume the exercise of the powers and duties of township trustees relating to fire protection service and emergency medical service as set forth in sections 359.42 through 359.45.
3. All of the real and personal township property used to provide fire protection service or emergency medical service shall be transferred to the county. The county shall assume all of the outstanding obligations of the township relating to fire protection service or emergency medical service. If the township provides fire protection outside of the county's boundaries, the county shall continue to provide fire protection to this area for at least ninety days after adoption of the resolution.
4. Fire protection service and emergency medical service shall be paid from the emergency services fund of the county authorized in section 331.424C.
5. *a.* Notwithstanding subsection 1, in a county having a population in excess of three hundred thousand, if as of July 1, 2004, a township has in force an agreement pursuant to chapter 28E for a city or another township to provide fire protection service or fire protection service and emergency medical services, or if a township is otherwise contracting with a city or another township for fire protection service or fire protection service and emergency medical services, the agreement or contract shall remain in force for the fiscal years beginning July 1, 2005, and July 1, 2006, and it shall be the duty of the county board of supervisors to levy, pursuant to section 331.424C, for those two fiscal years an amount sufficient to meet the obligations of the township as it pertains to that agreement or contract.
b. The board of supervisors of a county described in paragraph "*a*" shall negotiate agreements pursuant to chapter 28E for continued fire protection service, or fire protection service and emergency medical services, for the fiscal year beginning July 1, 2007, and subsequent fiscal years, on behalf of those townships described in paragraph "*a*", and shall continue to certify taxes for levy in the township, pursuant to section 331.424C, in amounts sufficient to meet the financial obligations pertaining to those agreements.
c. This subsection does not apply to a chapter 28E agreement entered into by three or more townships if such agreement provides for the creation of one fire department to provide fire protection services jointly to the townships that are parties to the agreement.

2000 Acts, ch 1117, §18; 2004 Acts, ch 1146, §1, 2