

CHAPTER 357J

EMERGENCY RESPONSE DISTRICTS

Referred to in §331.382

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357J.1 Authorization and purpose.

1. **This chapter** authorizes the establishment of emergency response districts.
2. The purpose of **this chapter** is to do all of the following:
 - a. Serve a public use and promote the health, safety, prosperity, security, and general welfare of the citizens of emergency response districts by preventing or reducing duplication, overlap, and fragmentation of the functions and facilities of special districts.
 - b. Better serve the citizens of the state through consolidation.
 - c. Reduce costs and increase efficiency of operation.

2008 Acts, ch 1152, §1; 2022 Acts, ch 1017, §1

Section amended

357J.2 Definitions.

As used in **this chapter**, unless the context otherwise requires:

1. “*Commission*” means a governing body composed of a member or designee of each governmental entity that is a member of the emergency response district.
2. “*District*” means an emergency response area.
3. “*Governmental entity*” means a county, city, or township.

2008 Acts, ch 1152, §2; 2022 Acts, ch 1017, §2

Referred to in §357J.11

Section amended

357J.3 Notification of public hearing.

1. Each governmental entity intending to participate in an emergency response district shall issue a notice of intent to hold a public hearing concerning the establishment of a proposed district. The hearing shall not be held until at least thirty days after the notice is issued but not more than ninety days after the notice is issued.

2. Notice required under **subsection 1** shall include all of the following information:
 - a. A statement explaining the need for fire protection service or emergency medical service.
 - b. The geographic boundaries of the district.
 - c. The approximate number of families in the district.
 - d. The proposed personnel, equipment, and facilities to provide the fire protection services or emergency medical services.
 - e. The date, time, and location of the public hearing.

2008 Acts, ch 1152, §3; 2022 Acts, ch 1017, §3

Section stricken and rewritten

357J.4 District — boundary changes.

1. The boundary lines of a district may include any incorporated or unincorporated areas.
2. *a.* The boundary lines of a district shall not be changed after the district is established except as provided in **this subsection**.
- b.* The boundary lines of a district shall be changed and shall become effective

immediately upon approval of the commission and each governmental entity currently participating in the emergency response district.

[2008 Acts, ch 1152, §4](#); [2009 Acts, ch 165, §3, 4](#); [2022 Acts, ch 1017, §4](#)

Section amended

357J.5 through 357J.9 Repealed by 2022 Acts, ch 1017, §6.

357J.10 Approval of district property tax levy.

Annually, the commission shall propose the levy of a tax of not more than one dollar and sixty and three-quarters cents per one thousand dollars of assessed value on all taxable property within the district. A proposed property tax levy rate shall not be approved by the commission unless two-thirds of the commission's members are present when the proposed property tax levy rate is approved. The commission shall hold a public hearing within thirty days of the commission's approval of a proposed property tax levy rate to receive public comment. Notice of the hearing shall be given by publication in a newspaper of general circulation within the district and shall be posted in a public place in each city within the district no less than ten days before the public hearing. The notice shall include the commission's proposed property tax levy rate, the reason for the tax, and the time when and the place where the hearing shall be held. The commission shall be considered a municipality for purposes of adopting and certifying a budget pursuant to [chapter 24](#) and shall set the property tax levy rate no more than ten days following the public hearing. The tax shall be set to raise only the amount needed. The commission shall have exclusive tax-levying authority for the district.

[2008 Acts, ch 1152, §10](#)

Referred to in [§357J.12](#), [357J.16](#)

357J.11 Governance authority — commission.

The district shall be governed by a commission, as defined in [section 357J.2](#).

[2008 Acts, ch 1152, §11](#)

357J.12 Commission powers.

1. The commission may purchase, own, rent, or maintain fire and emergency medical services apparatus or equipment within the state or outside the territorial jurisdiction and boundary limits of this state, provide housing for such apparatus and equipment, provide fire protection service and emergency medical service and facilities, and may certify for levy an annual tax as provided in [section 357J.10](#). The commission may purchase material, employ fire protection service personnel, emergency medical service personnel, and other personnel, and may perform all other acts necessary to properly maintain and operate the district. The commission may contract under [chapter 28E](#) with any city or county or public or private agency that is not a member of the district for the purpose of providing fire protection service or emergency medical service under [this chapter](#). The commissioners are allowed necessary expenses in the discharge of their duties.

2. The commission shall draw the boundaries of fire and emergency medical services areas within the district to be assigned to various fire departments and stations throughout the district.

[2008 Acts, ch 1152, §12](#)

357J.13 District fire chief.

The commission shall appoint a district fire chief who shall serve at the pleasure of the commission and shall be responsible for the coordination of fire protection service and emergency medical service throughout the district.

[2008 Acts, ch 1152, §13](#)

357J.14 Fire chiefs. Repealed by 2022 Acts, ch 1017, §6.

357J.15 Cities within the district.

If a city is included in a district, the maximum tax levy authorized for the general fund of that city under [section 384.1](#) shall be reduced by the amount of the tax rate levied within the city by the district. Such city shall not be responsible for providing fire protection service and emergency medical service as provided in [section 364.16](#), and shall have no liability for the method, manner, or means by which the district provides the fire protection service and emergency medical service.

[2008 Acts, ch 1152, §15](#)

357J.16 Bonds in anticipation of revenue.

A district may anticipate the collection of taxes by the levy authorized in [section 357J.10](#), and to carry out the purposes of [this chapter](#) may issue bonds payable in not more than ten equal installments with the rate of interest not exceeding that permitted by [chapter 74A](#). An indebtedness shall not be incurred under [this chapter](#) until authorized by an election. The election shall be conducted by the county commissioner of elections pursuant to [chapters 39 through 53](#). The commission shall give the county commissioner of elections forty-six days' notice of the special election.

[2008 Acts, ch 1152, §16](#); [2010 Acts, ch 1033, §49, 56](#)

357J.17 Transition — township tax discontinued.

When the boundary lines of the district include all or a portion of a township and the district has certified a tax levy within the township for the purpose of fire protection service and emergency medical service, the township trustees shall no longer levy the tax provided by [section 359.43](#) in that portion of the township provided services by the district. Any indebtedness incurred for the purposes of [sections 359.42 through 359.45](#) for a service now provided by the district shall be assumed by the district. Such township shall not be responsible for providing fire protection service and emergency medical service as provided in [section 359.42](#) for the portion of the township within the district, and shall have no liability for the method, manner, or means by which the district provides the fire protection service and emergency medical service.

[2008 Acts, ch 1152, §17](#)

357J.18 Transition — emergency medical services district taxes discontinued.

When the boundary lines of the emergency response district include all or a portion of an emergency medical services district under [chapter 357F](#) or [chapter 357G](#) and the emergency response district has certified a tax to be levied on property located within the emergency medical services district for the purpose of emergency medical service, the emergency medical services district trustees shall no longer levy the taxes authorized in [section 357F.8](#) or [section 357G.8](#) in that portion of such emergency medical services district that is provided services by the emergency response district. Any indebtedness incurred by an emergency medical services district under [chapter 357F](#) or [chapter 357G](#) for a service now provided by the emergency response district shall be assumed by the emergency response district.

[2008 Acts, ch 1152, §18](#)

357J.19 Dissolution of district.

Incorporation documents of an emergency response district shall include provisions for dissolution, the withdrawal of an individual participant in the emergency response district, and the dispensing of property in the case of either event.

[2022 Acts, ch 1017, §5](#)

NEW section