

80-1520. Fire districts in certain townships; tax levies for operation and maintenance; notice of increased levy; petition, election. The governing body of any fire district operating under the provisions of this act other than fire districts located in counties having a population of more than sixty thousand (60,000) and not more than one hundred thousand (100,000) shall have the power to levy a tax of not to exceed five (5) mills and the governing body of fire districts in counties having a population of not less than sixty thousand (60,000) and not more than one hundred thousand (100,000) shall have the power to levy a tax not to exceed six (6) mills. Such taxes shall be levied upon all property, real and personal, having a tax situs in the district and the proceeds thereof shall be used only for the purpose of paying the expenses of operating and maintaining a fire department and other legal expenses of the fire district which tax levy shall be in addition to all other tax levies authorized or limited by law. *Provided*, That no other levies for fire department purposes shall be made on such property.

The governing body of any fire district all of the territory of which is located within a county which has been designated an urban area in accordance with the provisions of K.S.A. 19-2654 may levy a tax each year of not to exceed seven and one-half (7 1/2) mills upon the taxable tangible property of the district for the purpose of paying the expenses of operating and maintaining a fire department and other legal expenses of the fire district, which tax levy shall be in addition to all other tax levies authorized or limited by law. *Provided*, That no other tax levy for fire department purposes shall be made on such property.

No such increase in the tax levy authorized by this section shall be made under the provisions of this section until a resolution authorizing such increased levy is adopted by the township board and published once each week for two (2) consecutive weeks in the official county paper of the county in which such township is located. Whereupon, such levy may be made unless a petition in opposition thereto signed by not less than five percent (5%) of the qualified electors of the fire district, as determined by the vote for secretary of state at the last preceding general election, is filed with the county election officer within sixty (60) days following the last publication of the resolution of the board. In the event such a petition is filed, it shall be the duty of the county election officer to submit the question to the voters of the fire district at an election called for such purpose or at the next general election. If no petition is filed, or if the question is submitted on a question submitted ballot and those voting on the question shall vote in favor of such tax levy, the township board is authorized and empowered to make such tax levy.

History: L. 1947, ch. 482, § 9; L. 1953, ch. 466, § 6; L. 1969, ch. 476, § 1; L. 1973, ch. 408, § 1; July 1.