ARIZONA FIRE DISTRICT ASSOCIATION

ARIZONA FIRE DISTRICT MERGER PROCESS

Arizona fire districts, as independent special taxing districts and political subdivisions of the state, are authorized to merge to form a new single entity fire district pursuant to A.R.S. §48-820 et.al. The process for merging fire districts in Arizona is fairly complex. The following outline provides a process guide for merging two or more fire districts in Arizona, either by unanimous consent of the respective fire boards or through the special election process.

1. Adopt resolution calling for public hearing on merger – the Governing Board of each District will adopt a resolution ordering a public hearing on the possible merger to determine whether merger would be in the best interests of the districts and would promote public health, comfort, convenience, necessity or welfare.

2. Mail notice of public hearing to property owners - via 1st class mail with copy of resolution and statement of purpose, time of hearing, description of boundaries/map, estimated assessed value of district / estimated change in tax liability.

3. Publish and post notice of public hearing - Publish notice 2x, at least 10 days before the public hearing; post notice 3 places and mail notice with resolution to BOS before hearing.

4. Submit notice of public hearing to Board of Supervisors (BOS) - BOS will review and submit written comments within 10 days of receipt.

5. Obtain written consent of 30% owner (if exists) – this won't apply if there is no property owner that holds 30% or more of the assessed value of the district.

NOTE: This could be done after the public hearing, but must be done prior to signing the resolution.

6. Public hearing – hold public hearing to decide if merger is in best interest of the Districts.

<u>If merger is to be accomplished by unanimous vote of the respective fire boards, skip to number 18 below</u>.

7. Submit resolution from public hearing to BOS to request the call for election – This must be provided to the BOS more than 120 days prior to date of the election. [16-226(A)]**.** If the District wishes to have a "mail ballot election" (where members vote via mail and there is no polling places available) it must be requested in this resolution. [16-558(A)].

8. Publish call or mail call – Publish 2x (at least one week apart) during six weeks prior to the election. The publication shall contain: (1) purpose; (2) date; (3) last date to register to vote; (4) name of election district; and (5) date mail ballots will be mailed to electors (if a mail ballot election).

9. Provide Recorder with description of election precincts – This must be done 60 days prior to the election. If it is a mail ballot election, must designate return places for mailed ballots. [Typically done by County if fire district contracts for election services]

10. Mail notice of election to property owners – This must be done at least 60 days prior to election. Must include notice and map of boundaries. Mail via 1st class. [48-802(f)] [Typically done by County if fire district contracts for election services]

11. Publish notice of election – 2x (at least one week apart) during six weeks prior to election. The publication shall contain: (1) date of election; (2) location of polls; (3) hours of operation; (4) purpose; and (5) conducting district. [16-228] [Typically done by County if fire district contracts for election services]

    a. If a mail ballot election - publish 2x (one week apart) during two weeks before six weeks preceding election. Publication shall contain: (1) date; (2) date ballots will be mailed; (3) deadline and location to return ballot; (4) how to obtain replacement ballot; (5) statement no polling place; (6) name of district; and (7) qualifications of electors.

12. Board appoints election workers – At least 20 days before election, appoint minimum of 3 election workers for each polling place, consisting of at least 1 inspector and 2 judges, and if possible qual. Electors [16-531(c)] [Typically done by County if fire district contracts for election services]

13. Designate polling place – this must be done at least 10 days before the election. [Typically done by County if fire district contracts for election services]

14. The Board may appoint a tally board – at least 10 days before election.

15. Board sends affidavit of compliance to BOS – at least 5 days before election.

16. **Election Day** (This must be held 60-90 days after order for election. NOTE: election dates are statutorily mandated).

17. Board canvas election – Must complete within 14 days of election.

18. Unanimous resolution (if completed via election, skip this step)

19. Joint meeting to select new board – district with largest population calls meeting. Appoint five (5) Board members from the two boards. No more than three (3) members can be appointed from any one fire board. The new Board immediately holds meeting [48-820 (H) & (I)]. At that meeting they appoint a Chairman and Clerk. They also pass a resolution declaring districts have merged, adopt a new district name, and accept the assets and liabilities of both Districts. Resolution needs to include names and terms of new Board members and be sent to the BOS.

20. Thirty days after resolution, merger is effective.

ARIZONA FIRE DISTRICT CONSOLIDATION PROCESS

Arizona fire districts, as independent special taxing districts and political subdivisions of the state, are authorized to consolidate to form a single entity fire district pursuant to A.R.S. §48-822 et.al. In a fire district consolidation, one fire district absorbs the other with the primary fire district remaining as the single entity going forward. The process for consolidating fire districts in Arizona is fairly complex. The following outline provides a process guide for consolidating two fire districts in Arizona, either by unanimous consent of the respective fire boards or through the special election process.

1. Adopt resolution calling for consolidation into another fire district – the Governing Board of the District requesting consolidation shall send notice by First Class mail to fire district in which consolidation is requested.

2. Adopt resolution calling for public hearing on consolidation – the Governing Board of each District will adopt a resolution ordering a public hearing on the possible consolidation to determine whether consolidation would be in the best

interests of the districts and would promote public health, comfort, convenience, necessity or welfare.

3. Mail notice of public hearing to property owners - via 1st class mail with copy of resolution and statement of purpose, time of hearing, description of boundaries/map, estimated assessed value of district / estimated change in tax liability.

4. Publish and post notice of public hearing - Publish notice 2x, at least 10 days before the public hearing; post notice 3 places and mail notice with resolution to BOS before hearing.

5. Submit notice of public hearing to Board of Supervisors (BOS) - BOS will review and submit written comments within 10 days of receipt.

6. Obtain written consent of 30% owner (if exists) – this won't apply if there is no property owner that holds 30% or more of the assessed value of the district. NOTE: This could be done after the public hearing, but must be done prior to signing the resolution.

7. Public hearing – hold public hearing to decide if consolidation is in best interest of the Districts.

<u>If consolidation is to be accomplished by unanimous vote of the respective fire boards, skip to number 19 below</u>.

8. Submit resolution from public hearing to BOS to request the call for election – This must be provided to the BOS more than 120 days prior to date of the election. [16-226(A)]**.** If the District wishes to have a "mail ballot election" (where

members vote via mail and there is no polling places available) it must be requested in this resolution. [16-558(A)].

9. Publish call or mail call – Publish 2x (at least one week apart) during six weeks prior to the election. The publication shall contain: (1) purpose; (2) date; (3) last date to register to vote; (4) name of election district; and (5) date mail ballots will be mailed to electors (if a mail ballot election).

10. Provide Recorder with description of election precincts – This must be done 60 days prior to the election. If it is a mail ballot election, must designate return places for mailed ballots. [Typically done by County if fire district contracts for election services]

11. Mail notice of election to property owners – This must be done at least 60 days prior to election. Must include notice and map of boundaries. Mail via 1st class. [48-802(f)] [Typically done by County if fire district contracts for election services]

12. Publish notice of election – 2x (at least one week apart) during six weeks prior to election. The publication shall contain: (1) date of election; (2) location of polls; (3) hours of operation; (4) purpose; and (5) conducting district. [16-228] [Typically done by County if fire district contracts for election services]

    a. If a mail ballot election - publish 2x (one week apart) during two weeks before six weeks preceding election. Publication shall contain: (1) date; (2) date ballots will be mailed; (3) deadline and location to return ballot; (4) how to obtain replacement ballot; (5) statement no polling place; (6) name of district; and (7) qualifications of electors.

13. Board appoints election workers – At least 20 days before election, appoint minimum of 3 election workers for each polling place, consisting of at least 1 inspector and 2 judges, and if possible qual. Electors [16-531(c)] [Typically done by County if fire district contracts for election services]

14. Designate polling place – this must be done at least 10 days before the election. [Typically done by County if fire district contracts for election services]

15. The Board may appoint a tally board – at least 10 days before election.

16. Board sends affidavit of compliance to BOS – at least 5 days before election.

17. **Election Day** (This must be held 60-90 days after order for election. NOTE: election dates are statutorily mandated).

18. Board canvas election – Must complete within 14 days of election.

19. Resolution of fire board into which consolidation was requested declares the districts joined.

20. Meeting of newly joined fire district board – the board of the district into which consolidation was requested continues to serve through their regular terms of office. A consolidated district board must consist of five (5) board members. The board by resolution declares the name of the consolidated fire district. The resolution needs to include names and terms of new Board members and be sent to the BOS.