

## **Annexation of Property into a Fire District**

The following are the procedures for annexing a piece of property into an already established Fire District.

1. A petition is required and has to be signed by 40% or more of the area of privately owned lands to be annexed into the Fire District. Petitions can be obtained in the Commissioner's Office, 800 South Main Street, Room 302, Kalispell, Montana 59901.
2. The petition should then be brought to the Commissioner's Office with the required legal description and map of the property, and a letter from both fire district chiefs stating they are in agreement with the exchange of land from one district into the other district. If any of these items are missing, the process cannot be completed.
3. After the petition and above mentioned documentation is received, the petition is sent to the Plat Room to verify the signatures of the property owners. A public hearing is then scheduled. All owners of the property and the Fire Districts will be notified of the time and place of the public hearing. This notice is also published twice in the newspaper Legal Section.
4. A decision on whether or not to annex the property into the Fire District is usually made at the public hearing.

PETITION

Pursuant to Section 7-33-2126 M.C.A., we the undersigned owners of more than 40% of the area of privately owned lands and a majority of the taxpaying freeholders of the land described on Exhibit A, which is included in \_\_\_\_\_ Fire District, request that said land described in the attached Exhibit A, which is by this referenced incorporated herein, be transferred to and annexed to the \_\_\_\_\_ Fire District to which said area is adjacent.

The withdrawal from the \_\_\_\_\_ Fire District and annexation into the \_\_\_\_\_ Fire District would be more advantageous in both proximity to and communications with the firefighting facilities of the \_\_\_\_\_ Fire District.

SIGNATURE

NAME (PRINT)

ADDRESS

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# Montana Code Annotated 2021

TITLE 7. LOCAL GOVERNMENT  
CHAPTER 33. FIRE PROTECTION  
Part 21. Rural Fire Districts

## Annexation Of Adjacent Territory Contained In A Fire District

**7-33-2126. Annexation of adjacent territory contained in a fire district.** (1) Adjacent territory that is already a part of a fire district may withdraw from the fire district and become annexed to another fire district in the following manner:

(a) A petition in writing by 40% or more of the owners of real property within the area proposed to be transferred and owners of 40% or more of the taxable value of the property within the area proposed to be transferred must be presented to the county commissioners, asking that the area be transferred to and included in any other organized fire district to which the area is adjacent. The petition must describe the change of boundaries to be affected by the proposed transfer of area.

(b) The commissioners shall hold a hearing on the petition in accordance with the procedure outlined in **7-33-2142**. The transfer must be allowed unless protests are presented at the hearing by the owners of 40% or more of the real property in either district and owners of property representing 40% or more of the taxable value in either district.

(2) The transfer may be allowed only upon a showing of more advantageous proximity and communications with the firefighting facilities of the other district.

**History:** En. Sec. 3237, Pol. C. 1895; re-en. Sec. 2081, Rev. C. 1907; amd. Sec. 1, Ch. 16, L. 1915; amd. Sec. 1, Ch. 16, L. 1921; re-en. Sec. 5148, R.C.M. 1921; amd. Sec. 1, Ch. 15, L. 1931; re-en. Sec. 5148, R.C.M. 1935; amd. Sec. 1, Ch. 118, L. 1945; amd. Sec. 2, Ch. 97, L. 1947; amd. Sec. 1, Ch. 75, L. 1953; amd. Sec. 1, Ch. 75, L. 1957; amd. Sec. 1, Ch. 48, L. 1959; amd. Sec. 1, Ch. 77, L. 1959; amd. Sec. 1, Ch. 49, L. 1963; amd. Sec. 1, Ch. 45, L. 1969; amd. Sec. 2, Ch. 81, L. 1977; R.C.M. 1947, 11-2008(4)(b); amd. Sec. 15, Ch. 499, L. 2007.