



The Viability of Fire Districts in Wisconsin

Michael Ford, PhD.

Whitburn Center for Governance and Policy Research

Renee Christensen

MPA Student, UW Oshkosh

Lisa Lewis

Whitburn Center for Governance and Policy Research



Whitburn Center for
Governance and Policy Research

Executive Summary

The Issue

Wisconsin fire agencies are facing challenges that pose a significant threat to public safety in communities across the state. Departments are struggling to secure adequate and sustainable funding, recruit and retain firefighters, and meet growing service capacity needs. This report explores the viability of allowing the voluntary formation of special purpose fire districts as a tool for addressing these challenges.

The Method

In Spring 2023, the authors worked with the Wisconsin State Fire Chief's Association to develop and distribute a survey to Wisconsin fire chiefs. The purpose of the survey was to identify department needs, current service capacity, and attitudes towards special purpose fire districts. In addition to the survey, our research team studied fire districts in other states to create a roadmap for their creation in Wisconsin.

The Findings

Fire chiefs across Wisconsin report ongoing fiscal and recruitment challenges that threaten public safety in many Wisconsin communities. The structure of the Wisconsin fire service does not reflect the changing reality of municipal funding, declining volunteerism, and barriers to talent recruitment and retention. The researchers find that special purpose districts are common in Wisconsin, and that special purpose fire districts specifically are frequently used in other states.

The Lesson

Special purpose fire districts can be a tool for improving public safety in Wisconsin. Enabling districts would require a statutory change. The experience in other states demonstrates that a new enabling statute should allow only for the voluntary formation of fire districts, include a dedicated funding source, include a mechanism for accountability, and take into account the impacts on legacy departments.

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Our vision is to build local government, nonprofit, and community capacity to promote the common good. We will bring people together across ideological divides to discover nonpartisan solutions. The Whitburn Center will share innovative, research-based knowledge, equipping our partners to address their most pressing needs, while utilizing equitable, efficient, and effective strategies.

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Introduction

Fire protection is one of the most expensive and labor-intensive services provided by Wisconsin local governments. According to the *Wisconsin Policy Forum*, in 2020 about 16.3% of all operating expenditures per-capita in municipal government went towards fire and EMS protection.¹ The fire service is also of cultural importance as Wisconsin's many departments include a diverse array of career, volunteer, and hybrid agencies with clear identities and deep ties to communities of all sizes in Wisconsin.

The importance of well-functioning fire departments to public safety is self-evident. However, Wisconsin fire agencies are facing mounting challenges, including:²

- Increased call volumes.
- Difficulty recruiting and retaining paid and volunteer staff.
- Funding shortfalls and fiscal uncertainty.

These collective challenges threaten public safety. For example, our recent survey of fire department leaders in Wisconsin shows that over 10 percent of Wisconsin fire agencies had at least one instance over the past year where a service call in their jurisdiction yielded no response. In other words, there are times when there are simply no responders available to attend to an emergency call. Though examples of non-response are still relatively rare, they speak to the negative impact a struggling fire service can have on Wisconsin's quality-of-life and economic prosperity.

Enabling the voluntary formation of special purpose fire districts is a structural reform that may address the challenges facing the Wisconsin fire service. A dedicated fire district could:

- Create economies of scale by consolidating administrative functions of multiple small departments into larger entities.
- Increase purchasing power for equipment and services.
- Remove redundancies in neighboring jurisdictions.
- Provide a simple common structure for training and professional development.
- Provide a dedicated predictable funding source that improves planning and allows for better compensation and benefits.
- Maintain a volunteer fire service while ensuring service capacity.

In the following sections we present survey results of Wisconsin fire agencies in order to better understand the challenges they face, discuss the concept of special purpose fire districts as a

¹ See: <https://wispolicyforum.org/research/municipal-datatool-examining-and-comparing-wisconsin-cities-and-villages/>

² https://wispolicyforum.org/wp-content/uploads/2021/10/Taxpayer_21_06_FireEMS.pdf

tool to improve effectiveness and efficiency, and discuss a specific approach to creating special purpose fire districts in Wisconsin.

Survey

In March 2023, our research team worked with leadership of the Wisconsin State Fire Chief's Association to draft a 23-question survey targeting Wisconsin Fire Service Leaders serving Wisconsin municipalities. The survey went through multiple iterations and was distributed to 753 Wisconsin fire departments through the Wisconsin State Fire Chief's Association. A total of 192 departments responded (A 25.5% response rate).

Agency Characteristics

The vast majority of respondents were Fire Chiefs (64.86%) and Chief Officers (25.41%). On average respondents have served for 27.97 years, and there was no significant difference in the years of service for those serving career and volunteer departments. Respondents report the

Table One

	Career	Volunteer
City	62.1%	1.2%
Village	10.3%	7.1%
Town	6.9%	39.3%
Other	20.7%	52.4%

average age of their fire fighters to be 38.31, however volunteer departments are significantly older (40.85) than career departments (34.99).

A total of 45.95% of respondents serve volunteer departments, while 15.68% serve career departments. The other two modes are combination full-time/paid on call (24.86%) and paid on call (13.51%). As can be seen in Table One,

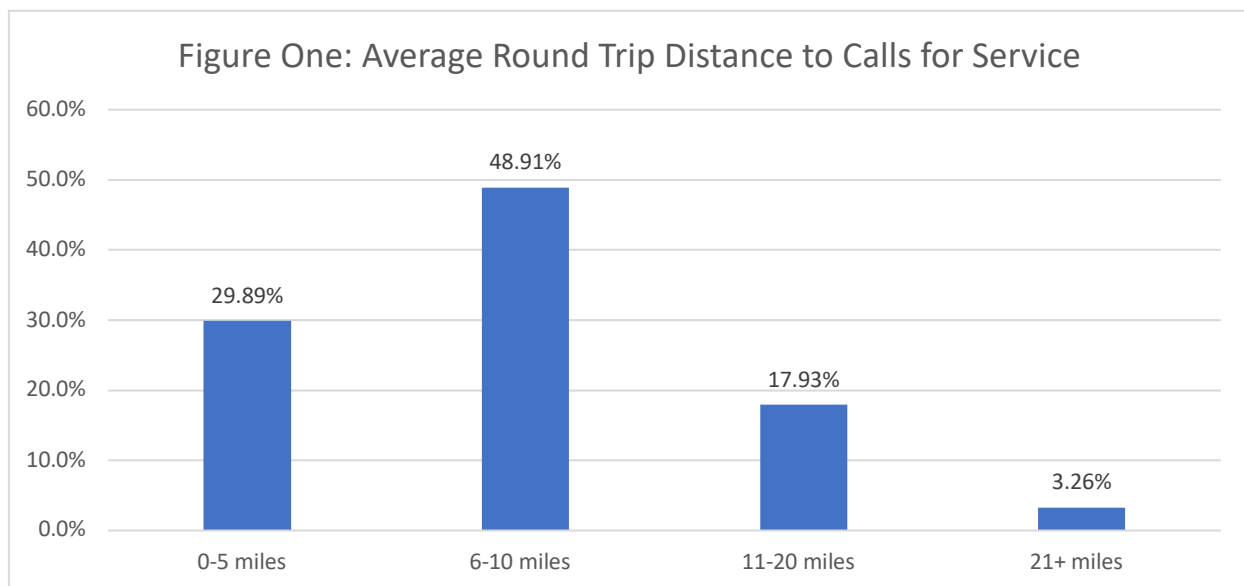
the distribution of career and volunteer fire agencies is linked to municipality type. Career agencies are most likely to serve cities, while volunteer agencies are most likely to serve towns and/or overlapping municipalities.

Table Two

	Incident Responses	Coverage (Square Miles)	Employees/ Members
Career	9407.59	96.67	91.61
Combination	1592.46	79.48	39.26
Paid on Call	166.67	75.95	30.48
Volunteer	150.71	70.18	27.99
All	1972.19	77.48	40.83

Table Two displays differences in incidence responses, coverage area, and employees/members across different types of fire agencies. Career agencies have comparatively more employees/members, larger coverage areas, and many more incident responses than other types of departments.

Figure One indicates the average trip distance to calls for service for all respondents. As can be seen, the vast majority of agencies have an average distance of 0 to 10 miles. A cross tabulation indicates that career departments are more likely to have shorter round-trip calls, while volunteer are more likely to have longer round-trip calls. Not surprisingly, districts serving more than one municipality are most likely to have longer average calls for service.



Agency Capacity

Respondents were asked a series of questions regarding their perceived capacity to meet service goals. Overall responses reveal service capacity concerns:

- 59.56% of respondents report their departments responded to at least one call in a neighboring jurisdiction over the past year because the neighboring jurisdiction's department was unable to respond. 12.57% reported this happened more than 21 times.
- 97.83% of respondents reported responding to at least one call in a neighboring jurisdiction as part of a mutual aid agreement over the past year. Over 50% of respondents report doing this more than 10 times.
- 10.33% report at least one instance over the past year of a service call in their jurisdiction for which no department ever responded due to lack of availability. One department reports over 20 calls with no response. Volunteer and combination full-time/paid on call departments were more likely to report instances of call non-response.

Capacity concerns extend into budget and staffing concerns. As can be seen in the chart below, just under 50 percent of respondents report their current financial resources are sufficient to meet next year's needs. Related, 25 percent of respondents anticipate going to referendum over the next 12 months to seek more funding.

Figure Two: Are your department's current financial resources sufficient to cover next year's projected needs?

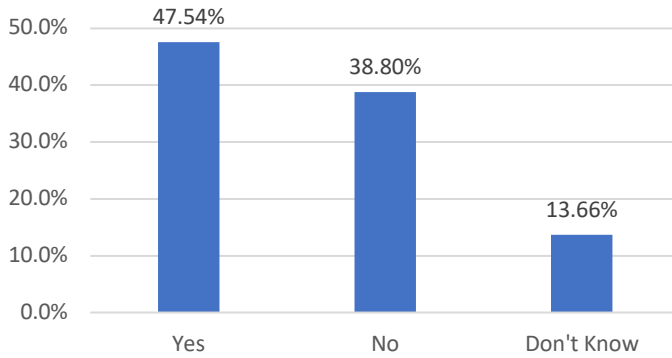
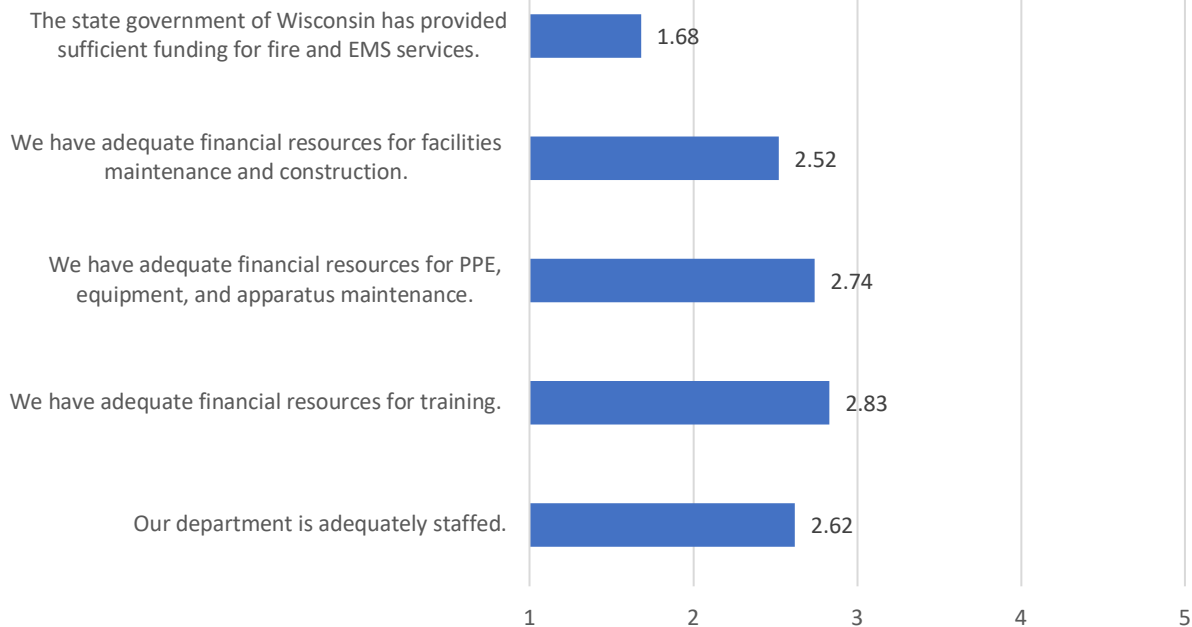


Figure Three demonstrates further areas of concern among fire services leaders in Wisconsin. Respondents disagree that the state of Wisconsin has provided sufficient funding for fire and EMS services, for facilities, for PPE and equipment, and training. In addition, respondents generally disagree that their departments are adequately staffed. 83.06% report it is harder to maintain staffing levels now than it was five years ago. These results are consistent across department type and municipality type.

Figure Three: Level of Agreement Where 1=Strongly Disagree and 5 = Strongly Agree



Challenges

In addition to the multiple-choice survey questions, we asked respondents an open-ended question: What is the greatest challenge facing your fire department? Four themes emerged in an analysis of responses.

Increasing Call Volume

Departments of all sizes and scope reported that increasing call volumes are putting pressure on their finances and staffing. Below are some representative responses:

- Rapidly increasing call volume and evolving needs of the community we serve with limited resources and a very restrictive budget that makes maintaining fleet, fire stations, and recruiting and retaining firefighters incredibly difficult.
- Keeping up with growth in call volume and avoiding staff burnout.
- The ability to add staffing to keep pace with increasing call volume and community growth.

Funding Challenges

Departments of all sizes and scope reported challenges related to funding. Many were general complaints; however, several respondents mentioned the challenge posed by state levy limits. Below are some representative responses:

- Funding for apparatus, maintaining equipment, and buildings, and ppe.
- LACK OF FUNDING!
- Funding limitations by levy limits and expenditure restraint.
- Staffing shortages and funding for staffing, our crews are significantly understaffed and underfunded.
- Levy limit restrictions.

Staffing

Respondents reported struggling with recruitment and retention. Notably, staffing challenges exist for both the career and volunteer fire service. Reasons cited for staffing challenges include a decline in volunteerism, competition from other professions, rural brain drain, and pay. Below are some representative responses:

- Lack of young people staying in the area, small town politics, programs for businesses to allow employees leave work for calls.
- Staffing is our greatest challenge.

- Recruitment. There just [aren't] enough kids going into fire/ems to fill all the openings we have.
- Acute lack of age-appropriate volunteers.
- Getting people to work for the pay that we receive.

Mandates and Training Costs

A substantial number of respondents referenced the financial burden of state mandates and training as their largest challenge. Below are some representative responses:

- More money is not always the solution. But the limitations put on our communities by the state, no tax increases and no shared revenue are a double negative.
- I feel the greatest challenge to our Department is the financial burden of training.
- Funding for staffing and training.

Opinions on Fire Districts

Table Three displays the level of agreement with statements regarding the creation of fire districts where 1=Strongly Disagree and 5=Strong Agree. Hence, mean responses above three indicate agreement. Overall, there is support for the creation of fire districts, however that support is strongest in career departments. Related, respondents serving career departments are most likely to believe consolidation will benefit residents. In addition, respondents serving villages are most likely to support the creation of a shared fire district in their community. Interestingly, respondents are neutral regarding whether residents would support a district. Respondents are also neutral regarding community support for a fire district tax.

Table Three

Statement	All	Career	Volunteer
I support the creation of a shared fire and/or EMS district in my immediate area.	3.42	4.00	3.20
Residents within my community support creation of a shared fire and/or EMS district.	3.06	3.04	3.00
Consolidation of fire departments into Special Fire Districts can benefit communities.	3.61	4.25	3.39
A Special Fire District tax would be supported by the community my fire department serves.	3.12	3.04	3.05
My department would explore the creation of a shared fire and/or EMS district within the next five years.	3.38	3.75	3.17

Fire Districts as Special Purpose Government

What is a Fire District?

The term fire district is somewhat vague, as some Wisconsin fire departments will colloquially state they are currently part of a fire district. Lake Country Fire & Rescue, for example, is a combination department serving seven communities through an intermunicipal agreement.³ Such agreements are allowed under Wisconsin state statute 66.0301, which provides a mechanism for two or more municipalities to cooperate in a service delivery area. It is also common for Wisconsin fire agencies to collaborate both formally through joint operation agreements and mutual aid agreements, and informally through other means, in areas included training, special operations, risk reduction, fleet maintenance, and EMS quality control and oversight. However, these collaborations occur between organizations with different identities and leadership. Special purpose fire districts progress beyond collaboration by building a common legal structure with unified governance, operations, and a dedicated funding source.

Special purpose districts are common in Wisconsin. As of 2023 the state had more than 1,100 special purpose districts.⁴ Under Wisconsin state statute [19.32\(3m\)](#):

“Special purpose district” means a district, other than a state governmental unit or a county, city, village, or town, that is created to perform a particular function and whose geographic jurisdiction is limited to some portion of this state.

While some states have a broad enabling statute to create special districts, Wisconsin has state statutes enabling the creation of specific types of special districts, as well as statutes empowering general purpose governments (like Counties) to create special districts. Those district types include:

- School districts
- Technical college districts
- Metropolitan sewerage districts
- Professional sports teams stadium districts
- Agricultural drainage districts
- Public inland lake protection and rehabilitation districts
- Sewer utility and sanitary districts
- Solid waste management systems
- Long-term care districts
- Water utility districts
- Mosquito control districts

³ https://www.lakecountryfire.com/s/20200929_Final-Signed-Intermunicipal-Agreement.pdf

⁴ https://legis.wisconsin.gov/LRB/media/1211/090_local_government_in_wisconsin.pdf

John C. Bollen's ⁵ influential work describes the essential characteristics of special purpose districts, they are organized entities with governing officers, fiscal and administrative independence, and a[n]:

- Structural form.
- Official name.
- Fixed service area.
- Right to sue and be sued.
- Right to enter into contracts.
- Right to obtain and dispose of property.
- Mechanism for public accountability.
- Ability to borrow and incur debt.

Various factors are linked to the use of special districts in local government, including revenue and levy limits, debt limits, preemption, and the need to protect funding for essential services from competition from other funding priorities.⁶ Hence it is not surprising that Wisconsin, a state with strict levy and debt limits, a history of state preemption of local control, and decades long stagnation in state shared revenues to local governments, has the 14th most special districts in the United States.⁷

When part of a general-purpose government, fire department funding is annually in competition with all other local government priorities, including public works, social services, police, transportation, etc. As was documented in a 2023 report authored by a team of local government organizations in Wisconsin, the erosion of the state-local funding partnership has made it increasingly difficult for local governments to fund all their service needs.⁸ Moving certain key services, like fire protection, into a district model could protect funding for essential services while relieving fiscal pressure on other local government funding priorities.

Fire Districts in Other States

Fire districts are common in many states. Colorado, for example, has a specific state statute allowing the formation of fire districts with the power to⁹:

- Enter into contracts.
- Sue and be sued.

⁵ John C. Bollen (1957). *Special District Governments in the United States*. Berkeley, University of California Press.

⁶ Barbara McCabe (2020). Special-district formation among the states. *State and local government review*, 32(2), 121-131.

⁷ 2017 U.S. Census of Local Governments

⁸ <https://localgovernment.extension.wisc.edu/files/2023/02/Renewing-a-Sustainable-Equitable-State-and-Local-Government-Funding-Partnership-Version-1.24.23-v-2.pdf>

⁹ <https://law.justia.com/codes/colorado/2016/title-32/special-district-act/article-1/part-10/section-32-1-1002>

- Borrow funds.
- Obtain and dispose of property, including stations and equipment.
- Receive and spend an impact fee.
- Exercise all powers necessary to accomplish their core function.
- Adopt and enforce fire codes.

Illinois' fire protection district statute was established in 1927, and the state currently has over 600 fire districts. Fire districts¹⁰:

- Must be proposed via a petition signed by at least 50 legal voters.
- Must be approved via a referendum of voters to be served by the new district.
- Are overseen by a board of 3 to 7 trustees serving staggered three-year terms.

Trustees are appointed by the municipal governing board if the district is contained entirely within a single municipality, appointed the Township board if the district is contained entirely with a single Township, and appointed proportionally by municipal governments if the district has overlapping jurisdiction. Funding for Illinois Fire Districts comes from a variety of taxes and fees.

Indiana statute also enables fire districts to be requested by residents and approved by a county legislative body. Fire districts may include, or exclude, municipalities within a county, meaning individual cities may opt not to be part of a district even if their county establishes one. Fire districts are overseen by a governing board with staggered terms appointed by the county legislative body. Indiana fire districts have the authority to levy property taxes to fund their operations.¹¹

The approach in all three of these states differ in their specifics but do have some commonalities. First, formation is a voluntary process...no existing fire agency is forced to be part of a district. Second, all three states grant fire districts broad legal authority to achieve their mission. Third, all have governing boards with some type of indirect electoral accountability. Fourth, all three states empower districts with an independent funding source.

A Path to Fire Districts in Wisconsin

The necessary first step to forming fire districts in Wisconsin is creating an enabling statute allowing multiple fire agencies to combine into a common fire district. An enabling statute will have to address multiple logistical issues, including those below.

¹⁰ <https://www.ilga.gov/commission/lru/specialdistricts.pdf>

¹¹ <https://www.in.gov/sboa/library/unit-specific-uniform-compliance-guidelines/special-districts/#BOARD%20OF%20FIRE%20TRUSTEES>

Process for Voluntary Formation

The incorporation of fire districts as a special purpose government is most likely to be successful if it is a locally driven process by which multiple jurisdictions voluntarily agree to form a district. While the state legislature could mandate fire districts, the experience in other states, and our survey responses, suggest that a mandated approach is least likely to generate buy-in.

Legacy Agencies

The formation of new fire districts will require reconciling previous agreements, relationships, and finances between legacy fire agencies and other entities such as municipalities, other fire service agencies, banks, and community partners.

Size and Scope

Fire districts in other states vary in their size and coverage area. Enabling legislation will need to consider Wisconsin's diversity of urbanicity and need when determining whether to limit and/or define size and scope parameters for new fire districts.

Funding Source

New fire districts will require a dedicated and reliable funding source in order to fulfill their potential. Possible options include proportional payments from participating municipalities, the creation of a sales tax or utility fee for the district's coverage area, a specific categorical aid from the state, or other option. Any funding source should be dedicated and predictable over time. In addition, consideration should be given to modifying levy limits, expenditure restraint calculations, and categorical aid qualifications for general purpose governments no longer funding fire protection via their operating budget.

Governance Structure and Accountability

Special districts are generally overseen by some type of governing board consisting of stakeholders and/or members of the general public. Other special district boards in Wisconsin, like technical college boards, have an application and appointment process. Any governance structure should enable representation across the service area and should provide a line of accountability via voters and/or other local and state elected officials. One possible model is the creation of a board consisting of representative members of Police and Fire Commissions from municipalities served by a new district.

Culture and History

As mentioned in the introduction, the fire service is woven into the cultural fabric of Wisconsin communities. Any steps towards the creation of fire districts would require buy-in from legacy departments. Achieving that buy-in will take consideration of agency identities and history, and deliberate action to preserve those identities and history in a new fire district. Specific consideration should be given to maintaining the role of volunteers in new districts with blends of full-time, paid on call, and volunteer firefighters.

Conclusion

Special purpose fire districts are a tool for Wisconsin to address the fiscal and service challenges facing the fire service. Financially, a dedicated and predictable funding source would allow for better long-term financial planning as opposed to being subject to the annual uncertainty of state shared revenue changes, allowable property tax increases, and competing local government budget priorities. Even more impactful are savings from the enhanced efficiencies created by combining existing departments into districts. Steps to increased efficiency include:

- Streamlining duplicative administrative costs.
- Eliminating duplication of high fixed-cost equipment, communication infrastructure, and training resources.
- Creating logical continuous service areas as opposed to serving patchworks of municipalities.
- Pooled buying power of larger districts.

Fire districts also are a tool for improving public safety in Wisconsin. Consolidated fire districts can:

- Ensure all areas of the state have access to a staffed fire agency, eliminating incidents of non-response.
- Continue to utilize volunteers while ensuring the availability of paid firefighters to offset declining volunteer numbers.
- Utilize savings from increased efficiencies to offer better pay and benefit packages to attract and retain new employees.
- Create more logical service areas that can improve response times.

As the survey results show, Wisconsin's fire service is stressed in a way that negatively impacts public safety. While fire districts cannot solve all the challenges facing Wisconsin's fire service, a statute enabling their voluntary formation as exists in other states would provide fire leaders with a new tool to address their staffing, finance, and service challenges.