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October 28, 2016

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Correction on Town of Victor Fire Protection Taxation

Victor NY. A question was raised at the October 24, 2016 Victor Town Board Public Hearing on the Proposed 2017 Town Budget regarding the taxation of the Victor Fire District on Fishers Fire District residents. Upon further investigation of the tax bills and consultation with the Town Assessor and the Receiver of Taxes, it was found that **there is no double taxation** for fire services for residents within the Fishers Fire District. Residents located in the Fishers Fire District **only** pay the Fishers Fire District taxes. Residents located in the Victor Fire Protection District **only** pay the Victor Fire Protection District taxes. These respective taxes are clearly itemized on all Victor property tax bills.

Other Background Information:

Fire protection for properties located outside the Village of Victor is provided by the use of one fire district (Fishers Fire District) and one special district (Victor Fire Protection District).

The Fishers Fire District is a legally established separate taxing authority, governed by an elected Board of Commissioners, and does not fall under auspices of the Town of Victor.

The Victor Fire Protection District is a special district that was established many years ago by the Town of Victor in accordance with NYS Town Law Section 184. The Town has chosen to furnish fire protection to this special district by contracting with an outside company (in this case the Village of Victor). In accordance with Section 184(6) of the before mentioned Town Law:

"6. The amount which is to be paid each year pursuant to any contract entered into pursuant to the provisions of this section, together with all other expenses necessarily incurred or occasioned by reason of the establishment or extension of the fire protection district, shall be assessed and levied upon the taxable property in the district and collected in the same manner, at the same time and by the same officers as town taxes are assessed, levied and collected..."

Therefore only the parcels located within the Victor Fire Protection District can legally be taxed for the cost of fire protection.

If the 2017 Town budget has been prepared where the amount of the fire protection district contract is not part of the Town-wide tax levy and is only being charged to the fire protection district, then there is no double taxation.

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