

To the Municipal Clerk:

cc: fire chiefs of Wisconsin

This letter is to remind municipal officials of the Fire Department Dues certification process that will occur in early 2006.

Wisconsin municipalities and fire departments are part of the state Fire Department Dues Fund program, which distributes to municipalities money collected from fire insurance premiums paid in the state, under subsections 101.14, 101.573, and 101.575 of state statutes. The Safety and Buildings Division of the state Department of Commerce administers the distribution of the fund, the total amount of which varies from year to year, based on two percent of premiums for fire insurance written in the state.

The Fire Dues Fund payments to municipalities are conditioned on responsibilities that must be substantially fulfilled in order to be eligible to receive the money. By law, municipalities and the fire departments serving those municipalities are required to provide and document specific fire safety services. The municipality is ultimately responsible for ensuring all required fire safety services are provided and that Fire Dues Fund money is properly used.

S&B performs self-certification and onsite audits to ensure the fire safety services are provided. The purpose of conducting audits is improved public and firefighter safety through consistent implementation of state regulations.

In order to receive a proportioned* amount of the Fire Department Dues Fund, the municipal clerk and the chief of the fire department(s) serving the municipality must annually self-certify fire safety services were provided in "substantial compliance" with the regulations. The self-certification audit forms will be mailed to municipalities in January of 2006, and need to be completed and returned by March 1. If a community is served by more than one fire department, there will be appropriate multiple sets of audit forms sent to the clerk. The forms must be signed by both the clerk and the fire chief(s). Before signing the self-certification forms, the clerk should communicate with each fire chief providing services to ensure the entire municipality was properly protected for the past calendar year, and that the fire safety services are being provided for the current year. With their signatures, the clerk and fire chief(s) are certifying the information is true to the best of their knowledge.

After review of the returned self-certification audit forms by S&B, eligible communities will receive checks in June, 2006.

(Over)

*The fire dues distribution is computed using the equalized valuation of real property improvements.

The process for certifying substantial compliance with statutes has been modified by 2003 Wisconsin Act 219 and Clearinghouse Rule 04-070. S&B offered training on the changes this summer to all fire departments in the state. The main change is that a new determination standard, “substantial compliance” (defined by Comm 14.02 (10) - the definition is on the certification forms), is a different determination standard than “in compliance,” which was used in the past. Substantial compliance does not reduce the duty of municipalities to provide the fire safety services and to annually inspect 100 percent of public buildings and places of employment, but provides more flexibility in determining whether that duty has been met, so as to establish eligibility for fire dues funding.

Copies of the draft self-certification audit forms, instructions on filling out the forms, and a cover letter are on the Safety and Buildings Division WebSite, [http://commerce.wi.gov/SB/SB-FirePreventionAudit Info.html](http://commerce.wi.gov/SB/SB-FirePreventionAuditInfo.html). These materials were provided to all Wisconsin fire departments as part of this summer’s training. These drafts should not be filled out and sent to S&B. These are for informational purposes only. The customized self-certification forms will be mailed to municipal clerks in January.

If you have questions about the Fire Department Dues Fund program, you can contact a Safety and Buildings Division Fire Prevention Coordinator. A map of the coordinators’ districts is online (PDF file), <http://commerce.wi.gov/SBdocs/SB-FirePrevCoordMap.pdf>.