



MUNICIPAL CLASSIFICATION & HJR 25 STUDY OF MUNICIPAL FIRE DEPARTMENT STATUTES

November 2017

Local Government Interim Committee

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MONTANA STATE LEGISLATURE

MUNICIPAL CLASSIFICATION & HJR 25

INTRODUCTION

House Joint Resolution No. 25, passed by the 2017 Legislature, requests an interim study of statutes governing municipal fire departments and whether additional local control and flexibility in the provision of fire protection services is warranted. The impetus for the study was the failure in the House Local Government Committee of House Bill No. 534, which sought to allow certain classes of cities to determine how to provide fire protection in their jurisdictions. Among other provisions, the bill removed the requirement that cities of the first and second class use a paid fire department and created a mechanism for cities to propose to the electorate annexation onto existing rural fire districts, thereby dissolving their paid departments. Chief among the bill's proponents were representatives of the City of Belgrade and the Central Valley Fire District who testified that the requirement for a paid fire department was problematic and costly, and that area residents would be best served if the city was able to join the district for fire protection purposes.

Because of the requirement that certain classes of cities have a paid fire department, the broader subject of municipal classification is central to this study, and an understanding of the classification statutes, their origins, how they are used in the Montana Code Annotated, and where Montana's municipalities stand will provide a context on which to base discussions and recommendations.

BASIS FOR CLASSIFICATION, LEGISLATIVE HISTORY

Montana Code Annotated sections 7-1-4111 through 7-1-4118 dictate the levels of municipal classification, provide that the basis for classification is the census, and establish procedures for advancement and reduction in classification. The first two sections establish the population thresholds and allow for certain exceptions.

7-1-4111. Classification of municipalities. (1) Every city having a population of 10,000 or more is a city of the first class.

(2) Every city having a population of less than 10,000 and more than 5,000 is a city of the second class.

(3) Every city having a population of less than 5,000 and more than 1,000 is a city of the third class.


(4) Every municipal corporation having a population of less than 1,000 and more than 300 is a town.

7-1-4112. Exceptions from classification system. Notwithstanding the provisions of 7-1-4111:

(1) every municipal corporation having a population of more than 9,000 and less than 10,000 may, by resolution adopted by the city council pursuant to 7-1-4114 through 7-1-4118, be either a first-class city or a second-class city;

(2) every municipal corporation having a population of more than 5,000 and less than 7,500 may, by resolution adopted by the city council pursuant to 7-1-4114 through 7-1-4118, be either a second-class city or a third-class city; and

(3) every municipal corporation having a population of more than 1,000 and less than 2,500 may, by resolution adopted by the city or town council pursuant to 7-1-4114 through 7-1-4118, be either a city or town.



Although the statute has been modified and recodified, the population thresholds for classification are the same as they were 122 years ago.

What has become section 7-1-4111 originated in 1895 with enactment of Section 4710, Pol.C. 1895. It read:

Every city having a population of ten thousand or more is a city of the first class; every city having a population of less than ten [thousand] and more than five thousand is a city of the second class; every city having a population of less than five thousand and more than one thousand is a city of the third class, and every municipal corporation having a population of three hundred and less than one thousand is a town.

Although the statute has been modified and recodified, the population thresholds for classification are the same as they were 122 years ago.

In 1947, the legislature added the exception language to section 4959 R.C.M. (formerly Section 4710, Pol.C. 1895) that would become section 7-1-4112, MCA:

...provided, that every municipal corporation having a population of more than one thousand and less than twenty-five hundred, may by resolution adopted by the city or town council, as the case may be, pursuant to Sections 4969 to 4973 inclusive, of the Revised Codes of Montana, 1935, be either a city or town. Nothing in this act shall be construed as affecting the status of classification of any existing city or town.

The 1969 Legislature added additional exceptions, and when recodification occurred and the Revised Codes of Montana became the Montana Code Annotated, the floor of 300 for classification as a town had been omitted. The language was added again in 1979 and ultimately the one section was divided into two.

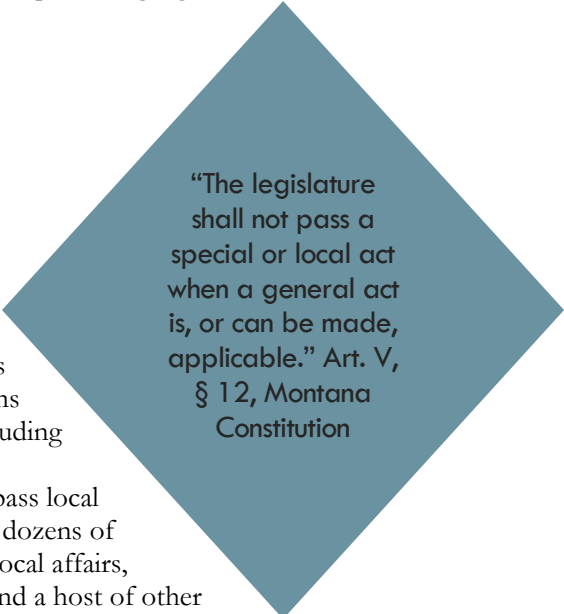
What Havre residents and officials believed to have been an undercount in the 2000 census prompted then-Rep. John Musgrove to introduce HB 132 during the 2003 Legislature. The bill, which the legislature enacted, added subsection (1) to 7-1-4112 allowing a municipal corporation with a population between 9,000 and 10,000 to decide between first-class and second-class status. The census had listed Havre's population as 9,621 and, without the exception HB 132 included, would have rendered Havre a second-class city and forced a new mayoral election just one year after the last election. During testimony, it was noted that Glendive had recently lost population and had used existing exception language to retain second-class status in order to keep its ability to have a paid fire department.

The classification statutes have not been amended since HB 132 in 2003.

WHY CLASSIFY?

Population-based classification of group settlements is applied worldwide, as are classification exceptions. The population thresholds, number of classes, and legal implications of classification vary widely.

One reason for grouping settlements into categories based on population was likely legislative convenience to facilitate the application of certain prohibitions and allowances to certain communities. Most original state constitutions, including Montana's, prohibited special or local legislation. Article V, § 26, of the 1889 Montana Constitution, provided, in part: "The legislative assembly shall not pass local or special laws in any of the following enumerated cases, ..." going on to list dozens of potential local actions such as granting divorces, laying out roads, regulating local affairs, empaneling juries, operating schools, conducting elections, collecting taxes, and a host of other activities. The provision concludes, "In all other cases where a general law can be made applicable, no special law shall be enacted." The delegates to the 1972 Constitutional Convention significantly simplified the prohibition on special legislation. Article V, § 12 of the 1972 Constitution reads: "The legislature shall not pass a special or local act when a general act is, or can be made, applicable."



"The legislature shall not pass a special or local act when a general act is, or can be made, applicable." Art. V, § 12, Montana Constitution

Enacting a law to dictate the compensation for a public officer in Missoula would likely run afoul of the Constitution—in 1895 and 2017—but applying a law to a certain group of communities is more general and less likely to encounter a problem. Whether or not some of the prohibitions and allowances that have been enacted over time specific to city classification make sense or are necessary is part of the policy discussion central to the HJR 25 study.

It has been argued that population-based classification is an antiquated way to group cities and towns and is too restrictive to allow them to address the needs of their residents. An October 2006 report prepared by the New York State Comptroller's Division of Local Government Services and Economic Development¹ examines the shortcomings of traditional local government classifications given the drastic changes in the built environment, economy, demographics, and service delivery needs that have occurred in the last century. The report contends that no one would ever design a system like it today.

¹ Alan G. Hevesi, "Outdated Municipal Structures: Cities, Towns and Villages – 18th Century Designations for 21st Century Communities," October 2006.

According to the report, the analysis “provides an illustration that suggests it may be time to refocus attention on the basic structure of local government, including State laws covering service provision, governance, revenue structure, intergovernmental aid, and the provisions under which municipalities may merge, dissolve or annex territory.” A model developed by the authors uses 13 data elements,² population among them, to cluster localities in what they believe are more meaningful ways, supporting the implication that “the many State programs and rules which treat these localities very differently based on their historical municipal classification may be doing so somewhat arbitrarily at this point in time.”

A similar comprehensive analysis for Montana is beyond the scope of the HJR 25 study, but it is noted here to illustrate how a structure created in 1895 for grouping municipalities--on which numerous laws are based--could be revamped to reflect modern realities, while continuing to provide a mechanism for steering clear of the constitutional prohibition on special legislation.

Until 2011, counties in Montana were organized into seven statutory classes based on their taxable valuation. Section 7-1-2111 stated that county classification was “for the purpose of regulating the compensation and salaries of all county officers not otherwise provided for and for fixing the penalties of officers’ bonds.” HB 212, enacted by the 2011 Legislature, repealed the county classification statutes and replaced references to county classes with taxable valuation ranges, population ranges, or a combination of both, depending on the circumstance. In testimony for the bill before the House Local Government Committee, Montana Association of Counties Executive Director Harold Blattie said that historically county classification had applied to setting debt limits, establishing salaries for county officers, and establishing mill levy caps for various types of levies found throughout the code. The mill levy cap enacted by HB 124 in 2001 had eliminated much of the reason for statutory county classification, while county commissioners were required to verify their county’s classification every year based on taxable valuation data provided by MACo.

Municipal classification is used for a wider range of purposes.

STATUTORY IMPLICATIONS OF CLASSIFICATION

References to municipal classification and restrictions or specific provisions based on classification appear in the following MCA Titles:

- Title 3 (courts)
- Title 7 (local government)
- Title 15 (taxation)
- Title 19 (retirement systems)
- Title 39 (labor)
- Title 50 (health)
- Title 76 (land resources and use)

The MCA provides direction for specific classes of municipalities in the following areas:

1. Composition of judicial and executive councils, commissions, and municipal offices;
2. Required municipal officers, officers that may be part-time or contracted, and working hours for officers;
3. Compensation for municipal officers and law enforcement, overtime, holidays, and minimum wage for law enforcement, and exemptions from overtime for certain employees;
4. Provision of services upon annexation;
5. Division into wards for elections;
6. Extension of zoning and subdivision regulations certain distances beyond the boundaries of certain classes of municipalities and subdivision application and appeal procedures in those extraterritorial locations;
7. Procedures for sanitation in subdivision review by the Department of Environmental Quality;
8. Housing authority funding requirements;

² Other data elements the authors used in their model to explore alternative ways to classify municipalities were land area, population density, percentage of housing built prior to 1950, median family income, median house value, percentage of foreign-born residents, percentage of residents in poverty, average work travel time, municipal expenditures, percentage of total expenditures used for public safety, percentage used for transportation, and the tax rate.

9. Police and firefighter retirement systems;
10. Requirements for a board of health and option to join district board of health;
11. Department of Revenue provision of property tax records;
12. Fuel tax revenue use for capital equipment and supplies;
13. Band concerts; and
14. Provision of fire protection.

Title 7, chapter 33, parts 21 and 41, govern local fire protection outside of and within the boundaries of cities and towns. Cities and towns of the first and second class are required to use a paid fire department in accordance with the procedures in part 41; cities of the second class may use volunteer fire departments in addition to their paid departments; cities of the third class and towns may be part of a fire district or contract for fire protection services. Fire districts may not include territory in a first- or second-class city.

CLASSIFICATION OF MONTANA CITIES AND TOWNS, FIRE DEPARTMENT OPTIONS

The table below provides population estimates and classification of Montana cities and towns as of Fiscal Year 2015, including whether or not each community would qualify for an exception to classification requirements under 7-1-4112, and a discussion of the statutory fire protection requirements that apply and, in some cases, are likely to apply based on population estimates. Section 7-1-4113 requires that the classification be based on the decennial census unless a city has conducted “a direct enumeration of the inhabitants thereof,” so the classification in place is based on the 2010 population appearing in parentheses.

The following abbreviations apply to the table.

C 1 = Class 1: 10,000+

C 2 = Class 2: 5,001>9,999

C 3 = Class 3: 1,001>4,999

T = Town: 301>999

E 1 = Exception in 7-1-4112(1) applies, allowing for Class 1 or Class 2 status: 9001>9,999

E 2 = Exception in 7-1-4112(2) applies, allowing for Class 2 or Class 3 status: 5001>7499

E 3 = Exception in 7-1-4112(3) applies, allowing for status as a city or town: 999>2,499

RFD = Rural Fire District

VFD = Volunteer Fire Department

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Billings	Yellowstone	110,263 (104,170)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Missoula	Missoula	71,022 (66,788)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Great Falls	Cascade	59,638 (58,505)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Bozeman	Gallatin	43,405 (37,280)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Butte	Silver Bow	34,622 (34,525)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Helena	Lewis and Clark	30,581 (28,190)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Kalispell	Flathead	22,052 (19,927)	X							Paid FD required, comply with Title 7, ch. 33, part 41; no VFD; no inclusion in RFD
Havre	Hill	9,834 (9,310)	X				X			Eligible for exception; may choose Class 1 or Class 2; paid

³ 2015 estimate is based on information provided in “Montana Local Government Profiles Fiscal Year 2015,” Local Government Center, Montana State University Extension; 2010 Census, sourced from Montana Department of Commerce Census and Economic Information Center, appears in parentheses.

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
										FD required if Class 1; paid + optional VFD if Class 2; no inclusion in RFD
Anaconda	Deer Lodge	9,139 (9,298)			X		X			Consolidated city-county; Eligible for exception; Class 3 status; 7-5-201 applies
Miles City	Custer	8,796 (8,410)		X						Class 2; does not qualify for exception; paid FD required + optional VFD; no inclusion in RFD
Belgrade	Gallatin	8,029 (7,389)			X			X		Class 3, qualifying for exception based on 2010 population; 2020 Census likely to disqualify for exception, requiring Class 2 with paid FD required + optional VFD; no inclusion in RFD
Livingston	Park	7,302 (7,044)		X				X		Eligible for exception; may choose Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Laurel	Yellowstone	6,943 (6,718)			X			X		Eligible for exception; may choose Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Whitefish	Flathead	7,073 (6,357)		X				X		Eligible for exception; may choose Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Sidney	Richland	6,828 (5,191)			X			X		Eligible for exception; may choose Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Lewistown	Fergus	5,874 (5,901)		X				X		Eligible for exception; may choose Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Glendive	Dawson	5,490 (4,935)			X			X		Class 3, not eligible for exception with 2010 Census; 2020 Census likely to qualify for exception, allowing choice

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
										between Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Columbia Falls	Flathead	5,093 (4,688)			X			X		Class 3, not eligible for exception with 2010 Census; 2020 Census likely to qualify for exception, allowing choice between Class 2 or Class 3; paid FD required + optional VFD and no inclusion in RFD if Class 2; VFD, RFD allowed if Class 3
Polson	Lake	4,707 (4,488)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Hamilton	Ravalli	4,602 (4,348)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Dillon	Beaverhead	4,210 (4,134)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Hardin	Big Horn	3,800 (3,505)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Shelby	Toole	3,268 (3,376)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Glasgow	Valley	3,414 (3,250)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Deer Lodge	Powell	2,965 (3,111)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Cut Bank	Glacier	3,002 (2,869)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Libby	Lincoln	2,645 (2,628)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Wolf Point	Roosevelt	2,850 (2,621)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Conrad	Pondera	2,593 (2,570)			X					Class 3; does not qualify for exception; VFD, inclusion in RFD allowed
Colstrip	Rosebud	2,336 (2,214)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Red Lodge	Carbon	2,222 (2,125)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
East Helena	Lewis and Clark	2,057 (1,984)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Columbus	Stillwater	2,042 (1,893)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Baker	Fallon	2,011 (1,741)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Malta	Phillips	1,963 (1,997)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Townsend	Broadwater	1,959 (1,878)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Ronan	Lake	1,981 (1,871)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Three Forks	Gallatin	1,926 (1,869)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Plentywood	Sheridan	1,923 (1,734)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Stevensville	Ravalli	1,922 (1,809)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Forsyth	Rosebud	1,892 (1,777)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Roundup	Musselshell	1,836 (1,788)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Choteau	Teton	1,696 (1,684)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Big Timber	Sweet Grass	1,648 (1,641)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Manhattan	Gallatin	1,631 (1,520)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Fort Benton	Chouteau	1,460 (1,464)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
West Yellowstone	Gallatin	1,339 (1,271)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Thompson Falls	Sanders	1,332 (1,313)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Chinook	Blaine	1,228 (1,203)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Boulder	Jefferson	1,207 (1,183)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Plains	Sanders	1,051 (1,048)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Whitehall	Jefferson	1,094 (1,038)				X			X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Eureka	Lincoln	1,074 (1,037)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Scobey	Daniels	1,033 (1,017)			X				X	Eligible for status as city or town; Class 3; VFD, inclusion in RFD allowed
Browning	Glacier	1,027 (1,016)				X			X	Eligible for status as city or town; Town; VFD, inclusion in RFD allowed
Harlowton	Wheatland	979 (997)			X					Listed as city, population would indicate town; not eligible for exception; VFD, inclusion in RFD allowed
Fairview	Richland	962 (840)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Pinesdale	Ravalli	954 (917)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
White Sulphur Springs	Meagher	910 (939)			X					Listed as city, population would indicate town; not eligible for exception; VFD, inclusion in RFD allowed
Ennis	Madison	884 (838)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Phillipsburg	Granite	884 (820)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Chester	Liberty	883 (847)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Troy	Lincoln	877 (938)			X					Listed as city, population would indicate town; not eligible for exception; VFD, RFD allowed
Poplar	Roosevelt	871 (810)			X					Listed as city, population would indicate Town; not eligible for exception; VFD, RFD allowed
Terry	Prairie	839 (605)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Superior	Mineral	839 (812)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Harlem	Blaine	822 (808)			X					Listed as city, population would indicate town; not eligible for exception; VFD, RFD allowed
St. Ignatius	Lake	817 (842)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Culbertson	Roosevelt	815 (714)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Darby	Ravalli	747 (720)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Fairfield	Teton	733 (708)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Bridger	Carbon	729 (708)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Walkerville	Silver Bow	700 (675)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Cascade	Cascade	696 (685)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Sheridan	Madison	677 (642)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Wibaux	Wibaux	666 (589)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Joliet	Carbon	638 (595)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Circle	McCone	613 (615)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Belt	Cascade	596 (597)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Big Sandy	Chouteau	593 (598)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Hot Springs	Sanders	547 (544)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Valier	Pondera	508 (509)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Broadus	Powder River	488 (468)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Lodge Grass	Big Horn	445 (428)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Fromberg	Carbon	444 (438)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Alberton	Mineral	424 (420)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Jordan	Garfield	399 (343)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Twin Bridges	Madison	394 (375)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Stanford	Judith Basin	381 (401)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Sunburst	Toole	351 (375)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Ekalaka	Carter	345 (332)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Drummond	Granite	336 (309)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Bainville	Roosevelt	318 (208)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Dutton	Teton	312 (316)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Clyde Park	Park	309 (288)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Hysham	Treasure	304 (312)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Nashua	Valley	296 (290)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Geraldine	Chouteau	263 (261)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Fort Peck	Valley	251 (233)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Denton	Fergus	248 (255)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Brockton	Roosevelt	246 (255)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Medicine Lake	Sheridan	244 (225)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Ryegate	Golden Valley	236 (245)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Lima	Beaverhead	222 (221)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Hobson	Judith Basin	216 (215)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Winifred	Fergus	205 (208)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Froid	Roosevelt	205 (185)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Saco	Phillips	201 (197)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Moore	Fergus	200 (193)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Virginia City	Madison	199 (190)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Broadview	Yellowstone	196 (192)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Richey	Dawson	192 (177)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Plevna	Fallon	183 (162)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Winnett	Petroleum	179 (182)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Westby	Sheridan	176 (168)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Lavina	Golden Valley	171 (187)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Rexford	Lincoln	147 (105)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Kevin	Toole	143 (154)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Judith Gap	Wheatland	125 (126)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Dodson	Phillips	124 (124)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Hingham	Hill	123 (118)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Grass Range	Fergus	110 (110)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Melstone	Musselshell	106 (96)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Opheim	Valley	89 (85)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Bearcreek	Carbon	83 (79)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Flaxville	Daniels	71 (71)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed

City	County	FY 2015 (2010) pop ³	C1	C2	C3	T	E1	E2	E3	Fire Protection Requirements
Outlook	Sheridan	53 (47)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Neihart	Cascade	51 (51)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed
Ismay	Custer	21 (19)				X				Town; not eligible for exception; VFD, inclusion in RFD allowed