

ORDINANCE NO. 197

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO
CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY
AND NON-EMERGENCY SERVICES BY THE FIRE DISTRICT FOR
SERVICES PROVIDED/RENDERED BY THE FRANKFORT FIRE
PROTECTION DISTRICT, WILL COUNTY, ILLINOIS.**

WHEREAS, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire district has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property taxes to meet the increase in service demands would not be fair when the responsible party should be held accountable for their actions; and

WHEREAS, the Board of the Frankfort Fire Protection District desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, Therefore

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE FRANKFORT
FIRE PROTECTION DISTRICT:**

SECTION 1: The Frankfort Fire Protection District shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: A claim shall be filed to the responsible party through their insurance carrier. In some circumstances, the responsible party will be billed directly.

SECTION 3: The Fire District's Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board concerning and relating to the adaption of this Ordinance were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinances of the Board.

SECTION 5: This Ordinance shall take effect at the date of adoption.

SECTION 6: Mitigation rates will only apply to persons who are not residents of Frankfort Fire Protection District. Residents within the Frankfort Fire Protection District boundaries currently subsidize these emergency service costs through their property taxes. Responses involving intoxicated drivers, hazmat clean-up, intentional and negligent acts or any act that violates any ordinance, local, state or federal statute may be subject to all applicable rates regardless of residency.

For purposes of this section a resident is defined as:

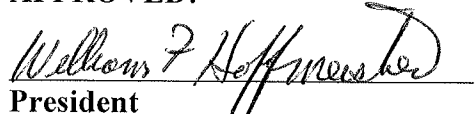
(a) Any person who maintains his or her full time residence within the Frankfort Fire Protection District or

(b) Is the majority owner of a business that operates from real property owned by the business located within the Frankfort Fire Protection District? (For purposes of this section a business includes any joint stock company, corporation, association, joint venture, limited liability company, club or partnership).

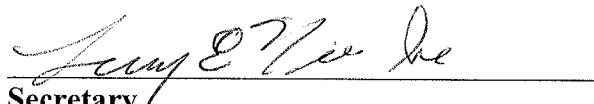
PASSED this 15th day of May, 2012 with 5 trustees voting aye, 0 trustees voting nay, with 0 trustees absenting or passing and said vote being:

William F. Hoffmeister	<u>AYE</u>	Robert Jacobs	<u>AYE</u>
Michael Kavanagh	<u>AYE</u>	Donald Lorenz	<u>AYE</u>
Larry Nice	<u>AYE</u>		

APPROVED:


President
Frankfort Fire Protection District

ATTEST:


Secretary
Frankfort Fire Protection District

(SEAL)

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

All Incidents

We will bill at the pre-approved rates per Illinois laws.

In responding to emergencies of nonresidents, the Frankfort Fire Protection District may charge up to the following fees:

Motor Vehicle Accident Responses, Technical Rescue/Extraction Rescue services

- 1) Per hour per vehicle Non-resident \$250.00
- 2) Per hour per responder Non-resident \$70.00
- 3) Cost of materials used in providing the response.

False Alarms- Intentional, Improper Maintenance, Improper Use, Malfunction

- 1) First False Alarm in a twelve-month period; warning letter (No Fine)
- 2) Second False Alarm in a twelve-month period: \$150.00
- 3) Each additional False Alarm in a twelve-month period after two shall result in a false alarm charge of at least \$200.00, with each charge increasing by \$50.00 for each additional false alarm, not to exceed \$500.00 per additional incident.
- 4) If the False Alarm is an Intentional Alarm, then an additional fine of \$1,000.00 shall be added to the fine listed.

IL Code 70-705 sec. 1lf allows Fire Protection Districts to bill nonresidents. Such charge may not be assessed against residents of the Fire Protection District or person who request fire protection coverage for an unprotected area and who pay to the fire protection district an amount equal to the district's Fire Protection Tax pursuant to Section 4 of the Fire Protection of Unprotected Area Act.

MINUTES OF A REGULAR PUBLIC MEETING OF
THE BOARD OF TRUSTEES OF THE
FRANKFORT FIRE PROTECTION DISTRICT,
WILL COUNTY, ILLINOIS, HELD AT FIRE STATION NO. 1
333 WEST NEBRASKA STREET,
FRANKFORT, ILLINOIS, IN SAID FIRE PROTECTION
DISTRICT AT 5:00 P.M. ON MAY 15, 2012

The meeting was called to order. Upon the roll being called, the following Trustees answered Present:

William F. Hoffmeister, Robert Jacobs, Michael Kavanagh,
Donald Lorenz and Larry Nice

The following Trustees were absent from the meeting:

None

The President introduced Ordinance No. 197 entitled:

An Ordinance Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire District for Services Provided/Rendered by the Frankfort Fire Protection District, Will County, Illinois

It was moved by Trustee Larry Nice and seconded by

Trustee Michael Kavanagh that said ordinance as presented be adopted. After a full and complete discussion thereof, the President directed the Secretary to call the roll for a vote upon the motion to adopt the ordinance.


Upon the roll call, the following Trustees voted:

AYE: William F. Hoffmeister, Robert Jacobs, Michael Kavanagh,
Donald Lorenz and Larry Nice

NAY: None

ABSENT: None

The President declared the motion carried and the ordinance as hereinabove set out adopted, approved and signed the same in open meeting and directed the Secretary to record the same in full in the minutes of the Board of Trustees of the Frankfort Fire Protection District, Will County, Illinois, which was done.



Secretary, Board of Trustees
Frankfort Fire Protection District
Will County, Illinois

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

CERTIFICATION OF MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees (the "Board") of the Frankfort Fire Protection District, Will County, Illinois (the "District"), and that as such official I am the keeper of the records and files of the Board.

I further certify that the foregoing is a full, true and complete transcript of the portion of the minutes of the regular meeting of the Board held on May 15, 2012, insofar as same relates to the adoption of an ordinance entitled:

ORDINANCE NO. 197

An Ordinance Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire District for Services Provided/Rendered by the Frankfort Fire Protection District, Will County, Illinois

A true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that no news media has requested notice of meetings of this Board, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of "AN ACT in relation to fire protection districts" approved and effective July 8, 1927, as amended, and that the Board has complied with all of the provisions of said Acts and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the District, this 15th Day of May, 2012.



Secretary, Board of Trustees
of Frankfort Fire Protection
District, Will County, Illinois

SEAL

FIRE PROTECTION DISTRICT
Ordinance Number 197 Notice

ADORDERNUMBER: 0000338747-01

PO NUMBER: Ordinance Number 197 Noti

AMOUNT: \$50.70

NO OF AFFIDAVITS: 3

LEGAL NOTICE

Notice is hereby given that at its regular meeting held on May 15, 2012, the Board of Trustees of the Frankfort Fire Protection District, Will County, Illinois, adopted Ordinance Number 197 entitled: An Ordinance Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire District for Services Provided/Rendered by the Frankfort Fire Protection District, Will County, Illinois. This Ordinance is available for inspection on the District's website at www.frankfortfire.org and at the District Headquarters, 333 West Nebraska Street, Frankfort, Illinois. This Ordinance shall take effect pursuant to law following publication of this Notice.
BOARD OF TRUSTEES
FRANKFORT FIRE PROTECTION DISTRICT
335747 Pub: 6/22/2012

**Sun Times Media
Joliet Herald-News
Certificate of Publication**

State of Illinois - County of Grundy, Will

Joliet Herald-News, does hereby certify it has published the attached advertisements in the following secular newspapers. All newspapers meet Illinois Compiled Statute requirements for publication of Notices per Chapter 715 ILCS 5/0.01 et seq. R.S. 1874, P728 Sec 1, EFF. July 1, 1874. Amended by Laws 1959, P1494, EFF. July 17, 1959. Formerly Ill. Rev. Stat. 1991, CH100, Pl.

Note: Notice appeared in the following checked positions.

PUBLICATION DATE(S): 06/22/2012

Joliet Herald News

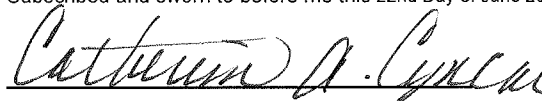
IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this Certificate to be signed and notarized

By



David Fontechia
Account Manager - Public Legal Notices

Subscribed and sworn to before me this 22nd Day of June 2012 A.D.



Notary Public

FIRE PROTECTION DISTRICT
333 W NEBRASKA ST
FRANKFORT, IL 60423-1434

