

**City of St. Charles, Illinois**

**Ordinance No. 2011-M-1**

**Ordinance Amending Title 2 "Administration and Personnel," Chapter 2.30 "Fire Department," Section 2.30.160 "Funds - Foreign Fire Insurance Company Tax Board" of the St. Charles Municipal Code**

**Adopted by the  
City Council  
of the  
City of St. Charles  
January 18, 2011**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, January 21, 2011**

*Nancy Garrison*  
\_\_\_\_\_  
City Clerk



*Handwritten signature and date: 8/21/11*

RESERVED FOR THE CITY CLERK  
8/21/11  
CITY OF ST. CHARLES, ILLINOIS

**City of St. Charles, Illinois**  
**Ordinance No. 2011-M-1**

**An Ordinance Amending the Municipal Code of the City Of St. Charles - Title 2, "Administration and Personnel", Chapter 2.30, "Fire Department" – Amending Section 2.30.160 "Funds – Foreign Fire Insurance Company Tax Board"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION ONE:** That Section 2.30.160 of the St. Charles Municipal Code, entitled "Funds – Foreign Fire Insurance Company Tax Board" is hereby deleted in its entirety and in lieu thereof, the following language shall be substituted:

**"2.30.160 Funds – Foreign Fire Insurance Company Tax Board**

- A. The City of St. Charles Foreign Fire Insurance Company Tax Board (hereinafter BOARD) shall consist of seven (7) trustees; the Fire Chief, who shall hold office by virtue of rank, and six (6) members, who shall be elected at large by sworn members of the Fire Department. If there are an insufficient number of candidates to fill all these positions, the number of BOARD members may be reduced to not less than three (3) trustees. All members of the Fire Department shall be eligible to be elected as trustees of the BOARD. The trustees of the BOARD shall annually elect officers. The BOARD officers shall be a Chairman, a Vice Chairman, a Secretary, and a Treasurer.
- B. The BOARD shall make all needful rules with respect to the BOARD and the management of money to be appropriated to the BOARD, including, but not limited to, rules prescribing the method for submission of matters for its consideration. All such rules shall be first approved by the BOARD prior to being in full force and effect. Such rules may be changed from time to time by a majority vote of the BOARD.
- C. The BOARD shall manage and authorize the disbursement of all foreign fire insurance company tax funds received by the City for the maintenance, use, and benefit of the Fire Department. Such expenditures shall inure solely to the Fire Department as a whole. The officers of the BOARD shall develop and maintain a listing of those items the BOARD feels are appropriate expenditures under the Foreign Fire Insurance Company Fees Act.
- D. The City Treasurer shall cause all funds received from the Foreign Fire Insurance Company Tax to be paid to the Treasurer of the BOARD. Such funds delivered to the Treasurer of the BOARD shall be deposited in the Foreign Fire Insurance Company Tax Fund, which is hereby authorized to be established. The Treasurer of the BOARD shall be responsible to pay any authorized collection fees or service charge associated with the same and shall further be responsible to disburse all funds from the Foreign Fire Insurance Company Tax Fund only upon authorization of the BOARD for only the purposes set forth herein.
- E. The Treasurer of the BOARD shall give a bond to the City in an amount equal to one and one-half times the anticipated annual Foreign Fire Insurance Company Tax to the BOARD. Such bond shall be approved by the Mayor of the City, conditioned upon the faithful

performance by the Treasurer of his/her duties under this Section and the rules and regulations of the BOARD. The cost of such bond shall be payable from the Foreign Fire Insurance Company Tax Fund.

- F. As part of the annual municipal audit, the funds of the BOARD shall be audited, at the expense of the BOARD, to verify the funds have been expended by the BOARD solely for the maintenance, use, and benefit of the Fire Department as a whole.
- G. All meetings of the BOARD shall be held in accordance with the provisions of the Illinois Open Meetings Act, as may be amended from time to time, and the BOARD shall annually publish its regular meeting schedule which shall include the location and time of all regular meetings. a complete record of the proceedings of each meeting of the BOARD shall be kept.
- H. At no time shall the actions of the BOARD or its officers interfere with the ordinances and rights of the City or its Fire Chief, the composition of the Fire Department, the Board of Fire and Police Commissioners of the City, or in any way impede the operation of the Fire Department. The City retains the right to withhold approval for use by City employees or in **FIRE DEPARTMENT** City facilities of equipment, supplies, or services purchased by the BOARD but not approved by the City.
- I. The term "members" of the Fire Department shall be construed to include those persons described in Section 2.30.010 of the St. Charles Municipal Code."

**SECTION TWO:** That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

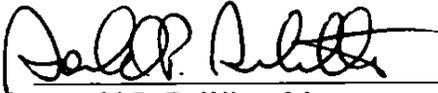
**SECTION THREE:** That this Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this 18th day of January, 2011.

**PASSED** by the City Council of the City of St. Charles, Illinois, this 18th day of January 2011.

**APPROVED** by the Mayor of the City of St. Charles, Illinois, this 18th day of January, 2011.



  
Donald P. DeWitte, Mayor

ATTEST:



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City Clerk

**COUNCIL VOTE:**

Ayes: 10

Nays: 0

Absent:

Abstain:

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**DATE:** \_\_\_\_\_

State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on January 18, 2011, the Corporate Authorities of such municipality passed and approved Ordinance No. 2011-M-1, entitled

"Ordinance Amending Title 2 "Administration and Personnel," Chapter 2.30 "Fire Department," Section 2.30.160 "Funds – Foreign Fire Insurance Company Tax Board" of the St. Charles Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2011-M-1, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 21, 2011, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 18th day of January 2011.



*Nancy Garrison*  
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Municipal Clerk