

CITY OF ST. CHARLES

ORDINANCE NO. 1994-M-59

AN ORDINANCE AMENDING TITLE 2,
"FIRE DEPARTMENT", CHAPTER 2.30,
SECTION 2.30.160 OF THE MUNICIPAL
CODE OF THE CITY OF ST. CHARLES

ADOPTED BY THE

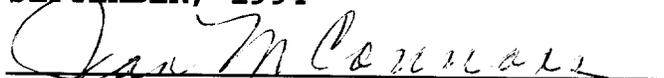
CITY COUNCIL

OF THE

CITY OF ST. CHARLES

THIS 6TH DAY OF SEPTEMBER, 1994

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 9TH DAY OF
SEPTEMBER, 1994


CITY CLERK

(S E A L)

DATE OF PUBLICATION 9/9/94
NEWSPAPER Pamphlet Form

ORDINANCE 1994-M-59

REFER TO:
MINUTES 9/6/94
PAGE _____

**AN ORDINANCE AMENDING TITLE 2,
"FIRE DEPARTMENT", CHAPTER 2.30,
SECTION 2.30.160 OF THE
MUNICIPAL CODE OF THE CITY OF ST. CHARLES**

WHEREAS, the CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, (hereinafter CITY), has and desires to continue to benefit from Foreign Fire Insurance Company Tax fees as provided for by the Illinois Compiled Statutes, Chapter 65, 5/11-10-1 et. seq.; and,

WHEREAS, pursuant to Statute the CITY has received and desires to continue to receive a two percent (2%) tax of the gross receipts received by foreign fire insurance companies relative to fire insurance upon property within the corporate limits of CITY; and,

WHEREAS, 65 ILCS 5/11-10-2 requires municipalities with population under 250,000, which have an organized fire department, to provide for the election of officers of the fire department by all members of the fire department to receive and spend the money collected from foreign fire insurance tax or license fees solely for the maintenance, use, and benefit of the fire department.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

Section 1: That Title 2, Chapter 2.30, Section 2.30.160 is hereby deleted in its entirety and the following inserted in its place:

"2.30.160 - FUNDS - FOREIGN FIRE INSURANCE COMPANY TAX BOARD

A) The City of St. Charles Foreign Fire Insurance Company Tax Board (hereinafter BOARD) is hereby created to consist of six members of the Fire Department, plus the Fire Chief of the City of

St. Charles as an ex-officio member. The members of the BOARD shall be the respective president, secretary, and treasurer of the organization representing full-time members of the Fire Department, and the president, secretary, and treasurer of the paid on-call firemen's organization, and the Fire Chief who shall be an ex-officio member of the BOARD.

B) The BOARD shall have officers which shall be a President, a Vice-President, a Secretary, and a Treasurer. Offices of the BOARD shall be filled by an annual election by members of the City of St. Charles Fire Department. The Fire Chief (who shall be otherwise an ex-officio member of the BOARD) may be elected as an officer of the Board by the members, and may then vote upon all matters coming before the BOARD. 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 maintenance, use and benefit shall inure solely to such maintenance, use, and benefit of the fire department as a whole.

C) 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. The Treasurer of the BOARD shall give a bond in an amount equal to one and one half times the anticipated annual foreign fire insurance company tax to the FOREIGN FIRE INSURANCE COMPANY TAX BOARD, such bond first being approved by the Mayor of the CITY, and the cost of such bond shall be payable from the foreign fire insurance company tax fund. The BOARD Treasurer shall cause to be completed an annual financial report of the FOREIGN FIRE INSURANCE COMPANY TAX FUND and shall submit the same to the BOARD for approval.

D) 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. Special meetings may be called upon the

call of the President or any four members of the BOARD, provided, however, that any such meeting shall be held in accordance with the Illinois Open Meetings Act. An agenda shall be published for all meetings and during all such meetings the President shall preside, or, in the absence of the President the Vice-President. All meetings shall be governed by Roberts Rules of Order, except as may be otherwise expressly provided by Statute. The Secretary of the BOARD shall cause to be kept a complete record of the proceedings of each meeting of the BOARD. The Secretary shall cause the annual financial report of the FOREIGN FIRE INSURANCE COMPANY TAX FUND, submitted by the Treasurer and approved by the BOARD, to be maintained with the record of proceedings of the BOARD and a copy of the same, certified to as a true and correct copy of the original by the Secretary, shall be submitted for review to the Chairperson of the Public Health and Safety Committee of the City Council of the CITY and thereafter placed on file with the City Clerk of the CITY.

E) The BOARD shall promulgate written rules to prescribe a 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.

F) 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.

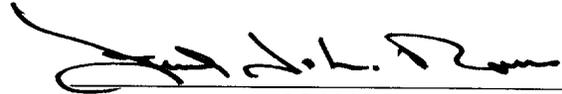
G) The term "members" of the Fire Department shall be construed to include those persons described in Section 2.30.010 of the St. Charles Municipal Code."

SECTION 2: That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the 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.

PRESENTED to the City Council of the City of St. Charles, Illinois, this
6th day of September, 1994.

PASSED by the City Council of the City of St. Charles, Illinois, this 6th
day of September, 1994.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 6th
day of September, 1994.


MAYOR

ATTEST:

CITY CLERK

COUNCIL VOTE:

Ayes: 13

Nays: 0

Absent: 0

STATE OF ILLINOIS)
) SS.
COUNTIES OF KANE AND DUPAGE)

C E R T I F I C A T E

I, JEAN M. CONNORS, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

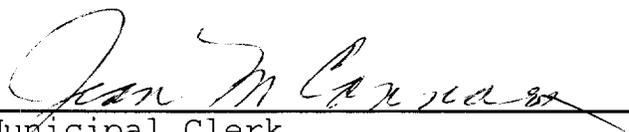
I further certify that on September 6, 1994, the Corporate Authorities of such municipality passed and approved Ordinance No. 1994-M-59, entitled

"AN ORDINANCE AMENDING TITLE 2, 'FIRE DEPARTMENT', CHAPTER 2.30, SECTION 2.30.160 OF THE MUNICIPAL CODE OF THE CITY OF ST. CHARLES",

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

The pamphlet form of Ordinance No. 1994-M-59, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on September 9, 1994, 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 8th day of September, 1994.


Municipal Clerk

(S E A L)