

ORDINANCE NO.04-15

AN ORDINANCE FIXING AND ESTABLISHING NON-RESIDENT FEES AND NON RESIDENT CHARGES AND PROCEDURES FOR COLLECTION OF FEES FOR THE ALLIN TOWNSHIP FIRE PROTECTION DISTRICT, MCLEAN COUNTY, ILLINOIS

WHEREAS, 70 ILCS 705/11f authorizes the Board of Trustees of a Fire Protection District to fix, charge, and collect non-resident fees and non-resident charges;

WHEREAS, 70 ILCS 705/11f requires that non-resident fees and non-resident charges be established by the Trustees and that the non-resident fees and non-resident charges established do not exceed the reasonable costs of the services rendered;

WHEREAS, the personnel and equipment of the Allin Township Fire Protection District are called upon with some frequency to render service to persons, businesses, and entities which are non-residents of the said District and which do not pay taxes levied by the said District to provide fire protection;

WHEREAS, substantial costs are incurred by the Allin Township Fire Protection District in rendering these services to such non-residents of the District;

WHEREAS, the Trustees of the Allin Township Fire Protection District are desirous of establishing procedures for the collection of such non-resident fees and non-resident charges.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF ALLIN TOWNSHIP FIRE PROTECTION DISTRICT, MCLEAN COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The following non-resident fees and non-resident charges are hereby determined to be the reasonable costs of services rendered by the Allin Township Fire Protection District and are hereby set as the non-resident fees and non-resident charges for services rendered by the Allin Township Fire Protection District:

- A. \$250.00 per hour per vehicle responding. Fees shall be calculated based upon 15-minute intervals.
- B. \$70.00 per hour per firefighter responding. Fees shall be calculated based upon 15-minute intervals.
- C. The actual cost for extraordinary expenses and materials used in rendering such services. However, no charge shall ever be made for services when the total is less than \$50.00.

SECTION 2: There shall henceforth be assessed the charges and fees that are established by this Ordinance against all persons, businesses, and entities that are not residents of the Allin Township Fire Protection District if any criminal, misdemeanor, or felony charge arises out of the incident.

SECTION 3: Any person, firm, or entity that is responsible for the incident that led to the services rendered by the Fire Protection District shall be obligated to pay the fees and charges that are established by this Ordinance. In the event that it is not possible for the Chief of the Allin Township Fire Protection District to determine the responsible party, then all non-residents involved in the incident shall be jointly and severally responsible for payment of the non-resident fees of the Fire Protection District.

SECTION 4: The Chief of the Fire Protection District shall bill the responsible party, as defined in the preceding Section of this Ordinance, within 30 days after an incident has occurred. Payment shall be due in full within 30 days thereafter. In the event that a payment is not paid within 30 days after a bill has been rendered, the Trustees may authorize appropriate legal action to be taken against all responsible parties as provided for in Section 3.

SECTION 5: The charge provided for in Section 1 hereof shall in no case be assessed against any person, business, or entity which is a resident of the Allin Township Fire Protection District or which pays to the Allin Township Fire Protection District an amount equal to the District's Fire Protection Tax pursuant to 70 ILCS 715/4 a property tax levied by the Allin Township Fire Protection District to provide the services of the said District.

SECTION 6: All receipts from charges assessed pursuant to this Ordinance shall be deposited to and become a part of the General Fund of the Allin Township Fire Protection District.

SECTION 7: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 8: This Ordinance shall be published as provided by law, and shall be in full force at the expiration of ten (10) days from and after its publication.

ADOPTED on a roll call vote this 14<sup>th</sup> day of October 2015.

APPROVED AND ADOPTED:

S/Mick Owen  
President of the Board of Trustees of Allin  
Township Fire Protection District

ATTEST:

S/Scott Eidenmiller  
Secretary

AYES 3

NAYS 0

ABSENT 0