

ORDINANCE NO. 25-O-05

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING
A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF
EMERGENCY AND NON-EMERGENCY SERVICES RENDERED BY THE
EAST DUNDEE AND COUNTRYSIDE FIRE PROTECTION DISTRICT**

WHEREAS, the East Dundee and Countryside Fire Protection District (the “District”), Kane & Cook County(s), Illinois, is a fire protection district duly incorporated under the laws of the State of Illinois, including the Illinois Fire Protection District Act (the “Act”, 70 ILCS 705/0.01 et seq.); and

WHEREAS, the Board of Trustees of the District (the “Board”) has full power pursuant to Section 6 of the Act (70 ILCS 705/6), to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board for carrying into effect the objects for which the District was formed; and

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; including: (1) Environmental Protection requirements involving equipment and training, and (2) Homeland Security regulations involving equipment and training; and

WHEREAS, the aforementioned increases thereby create additional demands on all operational aspects of the District’s services; 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 District desires to implement a fair and equitable procedure to collect 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 East Dundee and Countryside Fire Protection District, Kane and Cook County(s), Illinois, as follows:

Section One: The Board finds and determines the above recitals to be true and correct, and incorporates them as if written out here in full.

Section Two: The District shall initiate mitigation rates for the delivery of emergency and non-emergency services by the District 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 Three: A claim shall be filed to the responsible party through their insurance carrier. In some circumstances, the responsible party will be billed directly.

Section Four: The District’s Board of Trustees may make rules or regulations and, from time to time, may amend, revoke, or add rules and regulations not consistent with this Section as it may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

Section Five: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Ordinance were adopted in open meetings of the Board of Trustees, and that all deliberations of the Board that resulted in such formal actions were in accordance with all legal requirements, and the Ordinances of the Board.

Section Six: The provisions and sections of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Section Seven: This Ordinance shall be in full force and effect thirty (30) days from its passage and approval.

ADOPTED this ____ day of November 18th, 2025, by the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Trustees
East Dundee and Countryside Fire Protection District

ATTEST:

Secretary, Board of Trustees
East Dundee and Countryside Fire Protection District

EXHIBIT A

MITIGATION RATES

The District will bill at the pre-approved rates pursuant to Illinois law.

Nonresident Emergency Fees

Section 11f of the Fire Protection District Act (70 ILCS 705/11f) allows fire protection districts to bill nonresidents. Such charges may not be assessed against residents of the fire protection district or persons 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 (70 ILCS 715/4).

In responding to emergencies of nonresidents, the District charges the following fees:

1. \$250.00 per, per vehicle, for responding to a call.
2. \$70.00 per hour, per firefighter, for responding to a call.
3. An additional charge may be levied to reimburse the District for extraordinary expenses of materials used in rendering such services.
4. No charge shall be made for services for which the total charge would be less than \$50.00.

Technical Rescue Fees

Section 26 of the Fire Protection District Act allows fire protection districts to "fix, charge, and collect reasonable fees for technical rescue services provided by the District." The total amount may not exceed the reasonable cost of providing the technical rescue services and may include charges for personnel and equipment costs.

The District charges the following fees for each category of Technical Rescue Services provided, including Tactical Rescue, High Angle Rescue, Confined Space Rescue, Below Grade Rescue, Trench Rescue and/or Underwater Rescue/Recovery:

1. \$250 per hour, per vehicle.
2. \$70 per hour, per team member.
3. The actual cost of all consumable materials or equipment necessary in providing the response.

STATE OF ILLINOIS)
) SS)
COUNTY OF Kane and Cook)

SECRETARY'S CERTIFICATE

I, **John Bonkoski**, the duly qualified and acting Secretary of the Board of Trustees of the East Dundee and Countryside Fire Protection District, Kane and Cook County(s), Illinois, do hereby certify that the attached hereto is a true and correct copy of an Ordinance entitled:

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which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 18TH day of November 2025.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of November, 2025.

Secretary, Board of Trustees
East Dundee and Countryside Fire Protection District