

ORDINANCE 2011-3
First reading 10/2/10
Second reading 11/6/10
Amended 1/11/11

AN ORDINANCE RELATING TO SPECIALIZED AND TECHNICAL FIRE AND RESCUE SERVICES

WHEREAS, the Limestone Township Fire Protection District ("the District") finds it in the public interest and desires to promote and protect the health, safety, welfare and convenience of the public and otherwise provide adequate protection from fire for lives and property;

WHEREAS, it is at times in the public interest to render services to a person(s), business(es) and other entities responsible for an object or person that was involved in, or causes an accident that requires the use of specialized and/or technical fire and rescue services;

WHEREAS, the District Board of Trustees feels it necessary to fix, charge, and collect fees not exceeding the reasonable cost for those services; and

WHEREAS, the rights of the people of the District to receive adequate protection for lives and property remains paramount;

IT IS, THEREFORE, ORDAINED by the Board of Trustees of the Limestone Township Fire Protection District as follows:

- A. This Ordinance is passed pursuant to 70 ILCS 705/25 and 70 ILCS 705/26 and the District is authorized to enforce this Ordinance under these statutes and all other applicable authority existing in statute, regulation, or common law.
- B. The District shall charge \$125.00 per hour, per vehicle, and \$35.00 per hour, per firefighter, for all specialized rescue services once the preconditions of 70 ILCS 705/25 have been met for the assessment of such fee. The District shall also charge the cost of all materials, equipment, and/or services necessary for the response, including, but not limited to, those provided by third parties at the expense of the District.
- C. The District shall charge \$125.00 per hour, per vehicle, and \$35.00 per hour, per firefighter, for all technical rescue services. The District shall also charge the cost of all materials, equipment, and/or services necessary for the response, including, but not limited to, those provided by third parties at the expense of the District.
- D. Specialized and technical fire and rescue services include, but are not limited to, situations involving voluntary recreational water activities in flooded waters, the use of non-water suppression materials, containment and/or remediation of hazardous materials, and the use of non-District equipment.
- E. The District shall be reimbursed for any damage to its equipment or injury to its personnel related to any situation involving hazardous materials.
- F. If the District determines a violation of this Ordinance exists, written notice will be provided to those deemed to be in violation. Anyone in violation of this Ordinance may appeal the decision of the District, which will then hold a hearing on the issue at its next

regularly scheduled Board of Trustees meeting. Any appeal must be in writing and filed with the Secretary of the District Board of Trustees within thirty (30) days of the date of receiving notification from the District of the violation.

- G. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provisions shall not affect any of the other provisions of this Ordinance.
- H. This Ordinance shall be in full force and effect upon its adoption and ten (10) days after publication in a newspaper of general circulation within the District.
- I. All other District ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.
- J. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution or order, or parts thereof, legally enacted by any other public body within the District's jurisdiction, the most restrictive or highest standard will prevail, except that any conflict shall not limit the District's ability to extinguish any fire, provide any other services deemed appropriate by District personnel, or recover its costs related thereto in any way.

ADOPTED this 12 day of MARCH, 2011, by a vote of 5 AYES, 0 NAYS, and 0 ABSTENTIONS.

Andrew Bland
President, Board of Trustees

Valie Bassett
Secretary, Board of Trustees