

STATE OF ILLINOIS        )  
  )  
COUNTY OF DUPAGE        )        ss

**SECRETARY'S CERTIFICATE**

I, **Laurie K. Kagann**, the duly qualified and acting Secretary of the Board of Trustees of the Lisle-Woodridge Fire Protection District, DuPage and Will Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

**ORDINANCE NO. 08-10**

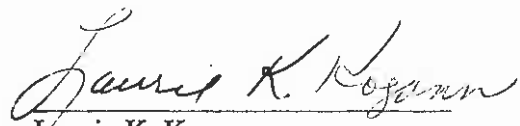
**AN ORDINANCE AMENDING ORDINANCE #96-05 PROVIDING FOR RESPONSE TO EMERGENCY SITUATIONS REQUIRING SPECIALIZED RESCUE TEAMS**

which ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 16<sup>th</sup> day of December, 2008.

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

**IN WITNESS WHEREOF**, I have hereunto set my hand this 16<sup>th</sup> day of December, 2008.

(seal)

  
Laurie K. Kagann  
Secretary, Board of Trustees

**ORDINANCE #08-10**

**AN ORDINANCE AMENDING ORDINANCE #96-05 PROVIDING FOR RESPONSE TO EMERGENCY SITUATIONS REQUIRING SPECIALIZED RESCUE TEAMS**

**WHEREAS**, the Intergovernmental Cooperation Act (5 ILCS 220/5) provides that units of government may contract with one another to perform a governmental service, activity, or undertaking that any of the agencies is authorized to perform; and

**WHEREAS**, the Lisle-Woodridge Fire Protection District (“District”) has entered into intergovernmental agreements with other public agencies to provide specialized rescue service to its residents and, by mutual aid, to the residents of other communities; and

**WHEREAS**, the cost of training and equipping the specialized rescue teams is great, however, the benefits often accrue to a small number of people or entities; and

**WHEREAS**, a specialized team is defined as those rescue team responses including, but not limited to , High or Low Angle Rope Rescue, Structural Collapse Rescue, Underwater Rescue/Recovery, Confined Space Rescue, Below Grade Rescue, and/or Trench Rescue (“Specialized Rescue Teams”).

**WHEREAS**, the Board of Trustees of the District (“Board”) finds that is in the best interest of the District and the residents of the District to require that those who benefit from Specialized Rescue Teams pay fees to defer the cost of training and maintaining the teams; and

**WHEREAS**, pursuant to the Combined Agency Response Team (CART) Intergovernmental Agreement, the District has agreed to seek reimbursement of costs associated with Special Rescues Teams and to provide CART with a pro rata share of funds collected.

**WHEREAS**, this Ordinance is designed to compensate the District for costs accruing to the District that result from services provided to any person or the owner or person responsible for an object or person that was involved in or causes an accident that necessitated the use of the District’s Specialized Rescue Team.

**NOW THEREFORE Be** it Ordained by the Board of Trustee of the Lisle-Woodridge Fire District, DuPage and Will Counties, Illinois, hereby amends its Ordinance #96-05 to read as follows:

**Section One:** Notwithstanding any other provision or rule of law, the following persons shall be jointly, or jointly and severally, liable for all costs of a Specialized Rescue Team as set forth in this ordinance:

- A. the owner of the property on which the specialized emergency response occurs;

- B. any person involved in any activity which caused or contributed to the causation of the emergency;
- C. in cases involving the rescue or recovery of an individual, the individual and his/her employer if the person was in the District in furtherance of the employer's interest; and
- D. in cases involving the rescue or recovery of property, the owner of the property and any one who had custody or control of the property at the time of the emergency.

**Section Two:** The charges for an emergency response of a Specialized Rescue Team are as follows for the purpose of Tactical Rescue, High Angle Rescue, Confined Space Rescue, Below Grade Rescue, and/or Trench Rescue or any other non-water rescue:

- A. Basic charge for team response - \$1,500.00
- B. Additional Charges:
  - 1. \$250.00 per hour per vehicle;
  - 2. \$70.00 per hour per team member; and
  - 3. cost of all materials or equipment necessary in providing the response.

**Section Three:** The charges for an emergency response of a specialized Rescue Team for Underwater Rescue/Recovery or any other water rescue are as follows:

- A. Basic charge for team response - \$1000.00
- B. Additional Charges:
  - 1. \$250.00 per hour per vehicle;
  - 2. \$70.00 per hour per team member; and
  - 3. cost of all materials or equipment necessary in providing the response.

**Section Four:** In addition to charges for a Specialize Rescue Team response, if a person or entity within the District requests that, pursuant to occupational safety and health laws, the District or any intergovernmental agency to which the District belongs be listed as the rescue service or as the backup rescue service on the permit of a permit-required confined space activity, the charge for such service shall be \$1,500.00 per day. If a person or entity lists the District as the rescue service or the backup rescue service without notifying the District, in writing, in advance of entry into any permit-required confined space, the person or entity shall be charged \$2,000.00 per day for each day the permit is outstanding.

**Section Five:** Nothing in this Ordinance shall preclude the assessment of fees or other charges pursuant to any other District ordinance or resolution including, but not limited to, Lisle-Woodridge Fire District Spiller Pays Ordinance #95-5 and Lisle-Woodridge Fire District Ordinance Imposing Fees for Emergency Medical Transportation #07-14.

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

**Section Seven:** Any person or entity that refuses to pay or fails to pay the above-listed charges within sixty (60) days of notice of the charge will be deemed to have violated this Ordinance and will incur a fine of not less than \$100.00 nor more than \$500.00 for each offense, plus all legal fees and all costs caused by enforcement. Such fees and costs shall include, but not be limited to, attorney's fees and the cost of collection. A separate offence shall be deemed committed for each day in which a violation occurs and continues.

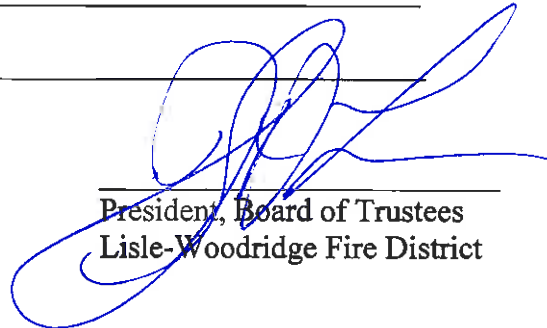
**Section Eight:** The Fire Chief is hereby authorized to waive any or all of the fees due under this Ordinance. He may do so by policy or on an individual basis.

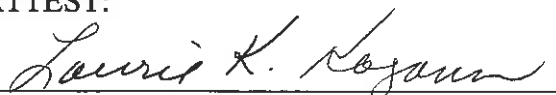
ADOPTED this 16<sup>th</sup> day of December 2008, by a roll call vote.

AYES: 4 (Urasky, Kagann, Fisher, Lawrence)

NAYS: 0

ABSENT: 1 (Hantsch)

  
\_\_\_\_\_  
President, Board of Trustees  
Lisle-Woodridge Fire District

ATTEST:  
  
\_\_\_\_\_  
Secretary, Board of Trustees  
Lisle-Woodridge Fire District