

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Fire Department      **DATE:** March 16, 2004  
(Name)

**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to Adopt "AN ORDINANCE AMENDING THE FOREIGN FIRE TAX", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance will make certain amendments to the Foreign Fire Tax ordinance.

**RECORD OF ACTION TAKEN:**

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Foreign Fire Tax

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE FOREIGN FIRE TAX

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by /underline; deletions by ~~strikeout~~):

**Section 1. That Section 2.75. is hereby amended to read as follows:**

**2.75. Powers and Duties.**

A Village of Downers Grove Fire Department Foreign Fire Insurance Tax Fund is hereby created and all revenue received by the Village of Downers Grove from the Foreign Fire Insurance Tax shall be deposited in the Fund and shall be held and expended according to the following procedures:

1. The Village Finance Director shall provide the Treasurer of the Board a monthly accounting of receipts and expenditures of the Fund.
2. By December 31<sup>st</sup> of each year, the Board's officers shall approve a preliminary budget for the expenditure of the funds received pursuant to the Foreign Fire Insurance Tax.
3. The Board's officers shall, no later than April 1<sup>st</sup>, of every year, adopt a final budget for the collection and expenditure of the Foreign Fire Insurance Tax, to be approved by ordinance passed by the Mayor and Village Council. The final budget may be amended at any time by a majority vote of the officers of the Board with concurrence of the Mayor and Village Council consistent with established practice.
4. The Board shall approve all expenditure of monies from the Fund for the maintenance, use and benefit of the Department. Any expenditure ~~in excess of ten thousand (\$10,000) shall be subject to the approval of the Mayor and Village Council~~ shall be made in accordance with the provisions of the Village Council Purchasing Procedures, as adopted and amended from time to time, provided, however, that the Council's approval shall not be withheld if the expenditure is for the maintenance, use and benefit of the Department.
5. Any expenditure made from the Fund shall be made in accordance with the Village of Downers Grove's ordinances, rules, regulations, and practices governing the procurement of goods and services, as amended from time to time.
6. The Board's Treasurer shall provide a bond to the Village in an amount equal to three (3) times the average amount of Foreign Fire Insurance Tax revenue received by the Village to ensure the faithful performance of the duties imposed by law and the Board on the Treasurer. Fees for the Treasurer's bond shall be paid from the funds collected from the Foreign Fire Insurance Tax.
7. To the extent allowed by law, the Board's Treasurer shall be responsible for paying the service charge levied by the Illinois Municipal League for the collection of the Foreign Fire Insurance Tax from the proceeds of that tax, provided that the service charge has not already been retained by the Illinois Municipal League prior to disbursement of the tax.
8. The Board shall, in accordance with the Open Meetings Act, establish a regular time and place for its meetings. The President shall preside at the meetings. The Secretary shall keep a record of all resolutions, minutes, proceedings and actions by the Board.
9. Three (3) members of the Board shall constitute a quorum for the transaction of its business. The affirmative vote of three (3) members of the Board shall be required to take action on business before it. Special meetings, with appropriate notice, may be called by the President or by no less than three (3) members of the Board. Any person shall be entitled to appear and be heard on any matter before the Board.
10. The Board may promulgate written rules and regulations governing Board matters so long as such rules and regulations do not conflict any applicable law or Village ordinance. All rules and

Foreign Fire Tax

regulations promulgated by the Board shall be approved by a majority of the Mayor and Village Council by ordinance. All rules and regulations approved by ordinance shall be posted in each fire station and shall be available for public inspection in the office of the Village Clerk before they are effective. The Board's Secretary shall maintain a record of all Board rules and regulations which shall be available for public inspection.

11. At no time shall the actions of the Board or its officers interfere with the rights of the Fire Chief, the composition of the Downers Grove Fire Department, the Downers Grove Board of Fire and Police Commissioners, or in any way impede the ordinary operation of the Downers Grove Fire Department. (Ord. No. 2434, § 5; Ord. No. 2641, § 10; Ord. No. 3266, § 34.)

**Section #2.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section #3.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk