

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

**ORDINANCE NO. 2015-02**

Amending 2013-07  
Amending 2013-02  
Amending 2011-15  
Amending 2011-07

**AN ORDINANCE AMENDING AND RESTATING THE FOX RIVER &  
COUNTRYSIDE FIRE/RESCUE DISTRICT COST RECOVERY AND FEE  
PROGRAM FOR MEDICAL, FIRE AND SPECIALTY RESPONSE  
SERVICES.**

**WHEREAS**, the Fox River & Countryside Fire/Rescue District (the "District") is a fire protection district duly organized under the laws of the State of Illinois; (the "District"), DuPage and Kane Counties, Illinois, is a fire protection district duly incorporated under the laws of the State of Illinois, including the Fire Protection District Act (the "Act", 70 ILCS 705/1 et seq.); and

**WHEREAS**, the Board of Trustees (the "Board") of the District has full power pursuant to Section 6 of the Fire Protection District Act 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 (70 ILCS 705/6); and

**WHEREAS**, Section 22 of the Act grants the Board of Trustees of a fire protection district the authority to "fix, charge and collect fees for emergency ambulance service within or outside the fire protection district" (70 ILCS 705/22); and

**WHEREAS**, the District continues to render emergency medical services on public and private property within or without the District to resident and non-resident persons, businesses and other entities in the performance of its obligations to the public; and

**WHEREAS**, the provision of such emergency medical services continues to incur costs to the District and its residents; and

**WHEREAS**, the Board adopted Ordinance 2011-07, establishing a schedule of charges and assessing fees for reimbursement for such emergency medical services on June 15<sup>th</sup>, 2011 and whereas, the Ordinance has been amended and restated from time to time; and

**WHEREAS**, the Board finds that it is in the best interest of the District to amend the fees for continued provision of such emergency medical services.

**WHEREAS**, the Board desires to amend and restate an Ordinance that provides for the District's Cost Recovery and Fee Program for Medical, Fire, and Specialty Response Services.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Fox River & Countryside Fire/Rescue District Kane & DuPage Counties, Illinois, as follows:

**SECTION 1:** The Board finds and determines the foregoing Recitals to be true and correct, and said Recitals are incorporated herein as if written out here in full.

**SECTION 2:** For the purposes of this ordinance, "resident" is defined as someone who permanently resides within the District.

**SECTION 3:** That a fee shall be charged for emergency medical services rendered by either the Fox River & Countryside Fire/Rescue District or by any fire protection district or municipality which provides emergency medical services to the District pursuant to a mutual aid agreement with the District, according to the fee schedule contained in Exhibit A-1.

J-24

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

**SECTION 4:** Fire and Rescue Service.

- a) Definitions.
- i) *Careless.* Not taking ordinary or reasonable care, including the disregard of the safety of others.
  - ii) *Contract.* An oral or written agreement to have work performed by a contractor.
  - iii) *Contractor.* Person or entity who has a contract to perform a task or service.
  - iv) *Emergency incident response.* Any call or incident requiring the fire department to respond regardless of the call initiation. Emergency incident response means the provision of authorized assistance during and following a response. Actions may include incident assessment, control operations, containment, abatement of hazards and actions to reduce the likelihood of secondary damage.
  - v) *Incendiary act.* A fire purposely set by a person or persons.
  - vi) *Incident.* Any request, by any person for the services of the Fox River & Countryside Fire/Rescue District.
  - vii) *Malicious act.* A wrongful act intentionally done without legal justification or excuse; an unlawful act done willfully and purposely.
  - viii) *Negligence.* Failure to exercise the standard of care that a reasonably prudent person would use under similar circumstances, including the doing of something which a reasonable and prudent person would not do.

**SECTION 5:** Expenses means the labor cost of Fox River & Countryside Fire/Rescue District, employees or contracted personnel, cost of district equipment and or apparatus, cost of materials, cost of disposal, the cost of any contract labor, and any costs from other assisting agencies:

- a) Ensuring the safety of the public, both on and off the site of the emergency incident response.
- b) Repairing or replacing equipment if said equipment was damaged or destroyed as a direct or indirect result of the emergency incident response
- c) Equipment, including rental equipment, utilized by the district to the extent such labor and equipment is necessary for emergency incident response, incident assessment, control, containment and abatement of the immediate and secondary hazards.
- d) Contract labor and equipment utilized by the district for emergency incident response, incident assessment, control, containment and abatement of the immediate and secondary hazard.

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

- e) Compensation costs for Fox River & Countryside Fire Rescue District employees for the time devoted to emergency incident response, investigation, supervision, report writing or administrative tasks relating to the emergency incident response. Includes the actual costs of government and volunteer personnel including worker's compensation benefits, medical and hospitalization costs due to injury, administrative overhead, costs of equipment, cost of equipment operation, and costs of materials.
- f) Labor and equipment utilized by Fox River & Countryside Fire Rescue District the via a mutual aid agreement for emergency incident response, incident assessment, control, containment and abatement of the immediate hazard.
- g) Disposable materials and supplies consumed and expended as a result of the hazardous materials incident, including but not limited to, absorbents, foams, neutralization agents, over pack drums, containers, fire hose, firefighter personal protective equipment, extrication equipment, fire suppression equipment and emergency medical service equipment.
- h) Decontamination of equipment that is contaminated during response to any emergency incident covered.
- i) Other expenses incurred in response to a hazardous material incident, including but not limited to; rental or purchase of machinery, equipment, labor, consultants, legal and engineering fees, water purchased from municipal/district water systems, transportation costs, meals, lodging and meals for persons evacuated from an area during a hazardous materials incident.

**SECTION 6:** Acts requiring cost reimbursement. The following acts are subject to the fees enumerated in subsection (b)(3) of this section:

- a) *Negligent/careless acts.* Any contractor, whose negligence or careless actions or conduct causes an incident resulting in an emergency response, shall be required to make restitution, pursuant to section (b)(3) of this section to the Fox River & Countryside Fire/Rescue District for the **costs** of that emergency response.
- b) *Aggravated Medical Emergency.* An alarm that results in a district emergency medical unit being dispatched, and the person transmitting, or causing the transmission of the alarm, knows at the time of said transmission that there are no reasonable grounds for believing that a medical emergency exists.
- c) *Aggravated Fire Emergency.* A fire caused by the owner or occupier of property or a structure, which presents a direct and immediate threat to public safety, thus requiring immediate action to mitigate the threat and the fire:
- d) Is caused or contributed to by the failure to comply with an order from the State, County, or City, District agency.

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

- i. Occurs as a direct result of a deliberate act in violation of State law, ordinance or code of the County, City or District agency.
  - ii. A fire that constitutes arson or reckless burning as defined by the Fox River & Countryside Fire/Rescue District ordinance.
  - iii. An alarm that results in the district fire unit being dispatched and the person transmitting or causing the transmission of the alarm, knows at the time of said transmission that no fire or fire related emergency exists.
- e) *Malicious or incendiary acts.* Any person, whose malicious or incendiary act causes an incident resulting in an emergency response, shall be required to make restitution, pursuant to section (b)(3) of this section to the Fox River & Countryside Fire/Rescue District for the **costs** of that emergency response
- f) *Driving under the influence.* Every person found guilty, including an order of supervision or probation, of section 11-501 entitled, "Driving while under the influence of alcohol, other drugs or drugs, intoxicating compound or compounds, or any combination thereof" of the Illinois Vehicle Code, who proximately causes any incident resulting in an appropriate emergency response, shall make restitution pursuant to the fees in subsection (b)(3) of this section to the Fox River & Countryside Fire/Rescue District for the district's **costs** of that emergency response.
- g) *Salvage operations.* Fee contained in Exhibit A shall apply.
- h) *Fire company standby.* When a fire company (engine, truck, or ambulance) is requested or required to stand by for a non-district sponsored event, the person responsible shall be required to make restitution, pursuant to subsection (b)(3) of this section to the Fox River & Countryside Fire/Rescue District for the costs of such fire company standby. No person shall contract for fire company standby services within the district other than with the district fire department unless the district is unable to provide such services.

**SECTION 7: Fees.**

**1) Base fees.**

- a) The following fees shall apply to all acts enumerated to subsection (b)(2) of this section and are contained in Exhibit A.
- b) The fee for use of any equipment not stated or contained in Exhibit A above shall be the higher of the current Federal Emergency Management Agency schedule of equipment rates or the schedule of average annual equipment ownership expense prepared by the Illinois Department of Transportation.
- c) A minimum of one hour shall be charged. Subsequent hours will be billed at 15-minute increments.

**2) Additional fees.** The following additional fees shall apply as indicated in Exhibit A.

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

- 3) When a fire company (engine, truck, or ambulance) is requested or required to stand by for a non- district-sponsored event, the person or organization responsible shall be required to make restitution, pursuant to the fees in subsection (b)(3) of this section to the Fox River & Countryside Fire/Rescue District for the costs of such fire company standby. No person shall contract for fire company standby services within the district other than with the district fire department unless the district is unable to provide such services.
- 4) *Waiver of fees.* Upon written application, the fire chief or his/her designee, or the Board, may waive or reduce fees, upon his/her discretion, based on mitigating circumstances.

**SECTION 8:** Program Fees

- 1) The following fees shall be paid by participants in the following fire department programs and classes as contained in Exhibit A.

**SECTION 9:** That each section, paragraph, clause, sentence, and provision of this Ordinance is separable and if any provision thereof is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, that can be given effect without such invalid provisions.

**SECTION 10:** The ordinance shall be in full force and effective 10 days from and after its passage, and publication in pamphlet form as provided by law.

**SECTION 11:** Any person, firm, entity or corporation violating any provisions of this ordinance shall be fined not less than one hundred (\$100.00) nor more than seven hundred fifty (\$750.00) dollars, and each day a violation occurs shall be considered a separate offense. In addition to the extent allowed by law, the District shall be entitled to recover from any violator its costs of collection, including reasonable attorney's fees. Counsel for the District is authorized to institute any such enforcement proceedings as directed by the President of the District.

**SECTION 12:** To the extent permitted by law, no permits shall be issued to any person, firm, entity or corporation that has outstanding fees due the district.

**SECTION 13:** The secretary of the Fox River & Countryside Fire/Rescue District is hereby directed to publish this Ordinance in pamphlet form. Publication shall take place at least ten (10) days prior to implementation of this Ordinance. The provisions of this Ordinance shall be in full force and effect ten (10) days after publication as provided by law (70 ILCS 705/7).

**SECTION 14:**

Ordinance Nos. 2011-07 and Ordinance 2011-15, and all other Ordinances in conflict with any provision of this Ordinance are hereby repealed, except as to any claims or causes of action for fees, charges, or other expenses, including but not limited to costs of service where recoverable under the prior ordinances, whether pending or accrued as of the date of this Amendatory Ordinance, and in such cases such claims or causes of action shall not be abated but shall proceed as if said Ordinances shall not have been repealed, it being the intent of the District that all such claims and causes of action be specifically preserved.

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

FOOTNOTE(S):

These footnotes are included and made a part of this Ordinance.

<sup>(1)</sup> 1 The provision of medically necessary supplies and services as defined in the National EMS Practice Blueprint. A basic level of pre-hospital and inter-hospital emergency and non-emergency care, as authorized by IDOT and the department EMS medical director, that include:

- <sup>(1)</sup> 1. Airway management.
- <sup>(1)</sup> 2. CPR.
- <sup>(1)</sup> 3. Control of shock.
- <sup>(1)</sup> 4. Control of bleeding.
- <sup>(1)</sup> 5. Splinting of fractures.

<sup>(2)</sup> 2 The provision of medically necessary supplies and services including the provision of an ALS Assessment or at least one ALS intervention, IV and cardiac monitor are the most common.

<sup>(3)</sup> 3 The provision of medically necessary supplies and services including the provision of an ALS Assessment or at least one ALS intervention, IV and cardiac monitor are the most common.

<sup>(4)</sup> 4 The provision of medically necessary supplies and services including:

<sup>(4)</sup> At least three administrations of one or more medications by intravenous, intranasal, or endotracheal tube bolus or continuous infusion; and /or at least one of the following procedures:

- <sup>(4)</sup> 1. Manual defibrillation/Cardioversion.
- <sup>(4)</sup> 2. Endotracheal Intubation.
- <sup>(4)</sup> 3. Cardiac Pacing.
- <sup>(4)</sup> 4. Chest Decompression.
- <sup>(4)</sup> 5. Surgical Airway.
- <sup>(4)</sup> 6. Intraosseous Line.

<sup>(5)</sup> 5 The provision of medically necessary supplies and services as required for continuous patient critical care services during transport between medical facilities. Supplies and services may include specialized intravenous medications, maintenance of central venous lines, ventilators, and other specialized skills as approved by the village's medical director and deemed necessary by the requesting facility.

ADOPTED BY THE BOARD OF TRUSTEES of the Fox River & Countryside Fire/Rescue District this 23rd Day of November, 2015, by a roll call vote as follows:

NAYS: 0

AYES: 4

ABSENT: 0

  
Robert Handley, President, Board of Trustees  
Fox River & Countryside Fire/Rescue District

ATTEST:

  
Terry Jeglum  
Secretary, Board of Trustees  
Fox River & Countryside Fire/Rescue District

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT  
KANE AND DUPAGE COUNTIES, ILLINOIS**

STATE OF ILLINOIS                    )  
  )  
County of Kane                        )        SS

**SECRETARY'S CERTIFICATE**

I, Terry Jeglum, the duly qualified and acting Secretary of the Board of Trustees of the Fox River & Countryside Fire/Rescue District, Kane and DuPage Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

**ORDINANCE NO. 2015-02**

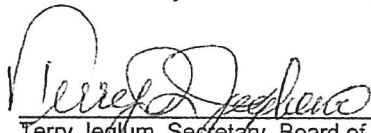
**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT**

**COST RECOVERY AND FEE PROGRAM FOR MEDICAL, FIRE, AND  
SPECIALTY RESPONSE SERVICES**

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the  
*November 23, 2015*

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 **23rd day of November 2015**,

  
\_\_\_\_\_  
Terry Jeglum, Secretary, Board of Trustees  
Fox River & Countryside Fire/Rescue District

{SEAL}

**Exhibit A-1**

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT COST RECOVERY AND FEE PROGRAM FOR MEDICAL, FIRE AND SPECIALTY RESPONSE SERVICES.**

**SECTION 3 Fees:**

<b>Medical Services</b>	<b>Resident</b>	<b>Non-resident</b>
Patients receiving basic life support [1] services with no transport.	<b>\$200</b>	<b>\$250</b>
Patients receiving basic life support services with non-emergent or emergent transport to an area hospital.	\$1200	\$1200
Patients receiving advance life support [2] services with no transport.	\$400	\$500
Patients receiving advanced life support [3] services and non-emergent or emergent transport to an area hospital.	\$1500	\$1500
Patients receiving advanced life support II [4] and non-emergent or emergent transport to an area hospital.	\$1800	\$1800
Patients receiving Critical Care Transport [5] shall pay the following fee.	\$1350	\$1350

- h) In addition to the above stated fees, the following additional fees if applicable shall be charged:
- a. A fee of \$16.00 per mile for transport by ambulance.
  - b. Wait fees of \$25.00 per 30-minute intervals while patient undergoes assessment/care and will be returned to the same or different destination from which the call originated.
  - c. All fees for disposable supplies when the receiving hospital does not replace those supplies to the district.
  - d. An ambulance and equipment decontamination fee of \$50.00 per non-resident transport shall apply.

**SECTION 6 Fees:**

- g) Salvage operations. A fee of \$300.00 shall be charged for fire department salvage operation including but not limited to tarping personal property and smoke or water removal.

**SECTION 7: Fees.**

1)

- a) Per fire engine per hour \$150.00
- b) Per truck company per hour 150.00
- c) Per command vehicle per hour 125.00
- d) Per ambulance per hour 150.00
- e) Per administrative vehicle per hour 100.00
- f) Per administrator or chief per hour 100.00
- g) Per fire inspector per hour 70.00
- h) Per suppression member per hour 70.00
- i) A minimum of one hour shall be charged. Subsequent hours will be billed at 15-minute increments.

2)

- a) A fee of \$350.00 for the extinguishing of a non-resident motor vehicle fire.
- b) A fee of \$400 for extrication tool use for a resident and \$600 for extrication tool use of a non-resident.

**SECTION 8: Program Fees**

- a) CPR and First Aid Class (Resident) \$30.00
- b) CPR and First Aid Class (Nonresident) \$50.00
- c) Healthcare Provider CPR Class \$65.00