

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 2 ("ADMINISTRATION"), ARTICLE 32 ("FOREIGN FIRE INSURANCE BOARD") OF THE OAK PARK VILLAGE CODE

WHEREAS, Division 10 ("Foreign Fire Insurance Company Fees"), 65 ILCS 5/11-10-1 *et seq.*, of the Illinois Municipal Code, was amended to change the manner in which members of foreign fire insurances boards are elected and the manner by which such boards are organized and function; and

WHEREAS, it is the intent of this Ordinance to amend Article 32 ("Foreign Fire Insurance Board") of the Oak Park Village Code so that it is consistent with the requirements of the Illinois Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

Section 2. Village Code Amended. Chapter 2 ("Administration"), Article 32 ("Foreign Fire Insurance Board") of the Oak Park Village Code is hereby amended by adding the deleting the overstricken language and adding the underlined language to read as follows:

Article 32 FOREIGN FIRE INSURANCE BOARD

2-32-1: CREATION AND MISSION OF THE FOREIGN FIRE INSURANCE BOARD:

2-32-2: ELECTION OF OFFICERS:

2-32-3: TREASURER; FUND ESTABLISHED; EXPENDITURES:

2-32-4: BOARD MEETINGS; CHAIRPERSON AND SECRETARY; RULES AND PROCEDURES:

2-32-5: ANNUAL AUDIT OF FUND:

2-32-1: CREATION AND MISSION OF THE FOREIGN FIRE INSURANCE BOARD:

There is hereby established a board known as the Foreign Fire Insurance Board ("Board"). This Board shall be comprised of officers elected as set forth below, and shall exercise only the powers as designated herein consistent with 65 Illinois Compiled Statutes ~~5/11-10-2~~ 5/11-10-1 et seq., of the Illinois Municipal Code. It shall be the mission of the Board to receive and account for revenue from the tax on fire insurance policies sold by foreign (out of state) insurance companies for the maintenance, use and benefit of the Fire Department as set forth in 65 Illinois Compiled Statutes 5/11-10-1 and 5/11-10-2.

2-32-2: ELECTION OF OFFICERS:

A. ~~The Board shall consist of three (3) officers, one of whom shall be elected treasurer~~ seven (7) trustees, which shall include the Fire Chief, who shall hold office by virtue of rank, and six (6) members, who shall be members of the Fire Department and shall be elected at large by the members of the Department. If there is an insufficient number of candidates to fill all these positions, the number of board members may be reduced, but not to fewer than three (3) trustees. ~~The Board shall elect from among its remaining two (2) members a chairperson and a secretary, neither of whom shall be the treasurer. The chairperson and secretary shall be elected at the first regular meeting of the Board and annually thereafter at the first regular meeting held during the calendar year.~~

B. ~~Persons eligible for election as officers for the Board shall include full-time employees of the Oak Park Fire Department. One full-time employee of the Oak Park Fire Department shall be elected from each of the following rank groups: one officer from the ranks of firefighter and fire inspector; one officer from the rank of lieutenant; and one officer from the ranks of battalion chief, Deputy Chief and Chief. For purposes of this article, member of the Fire Department shall mean any non-probationary full-time sworn firefighter or officer of the Fire Department, including the fire chief and all promoted positions.~~

C. ~~Any person eligible for election as an officer of the Board may submit a written nomination to the Fire Chief, requesting that he/she be placed on the ballot as a candidate for either treasurer of the Board or member of the Board. A person may only be listed on the ballot for either treasurer or member of the Board. Elections for all three (3) positions shall be conducted by Australian ballot, listing all persons nominated for election by rank and as candidates for either the treasurer or Board member positions. All active members of the Department at the time of the election in the ranks or positions of firefighter, fire inspector, lieutenant, battalion chief, Deputy Chief, and Fire Chief shall be eligible to vote. Eligible voters shall vote for one of the listed candidates for the position of treasurer and two (2) of the listed candidates for the two (2) Board member positions and may only vote for one candidate from each of the rank groups. The candidate for treasurer receiving the most votes shall be elected as treasurer to the Board. The candidate for Board member receiving the most votes from each of the rank groups, other than the rank group from which the treasurer was elected, shall be elected as members of the Board. The election of the trustees and officers of the Board shall be held in accordance with the rules and regulations established by the Board as required by 65 Illinois Compiled Statutes 5/11-10-2.~~

~~D. Each officer, including the treasurer, shall hold office on the Board for a term of three (3) years and until the officer's successor is chosen, commencing with the first Monday in December, 1995. If any officer no longer holds a qualifying position in the Fire Department, the officer's term shall cease immediately and the officer shall automatically be removed from the Board. The remaining Board officers shall appoint temporary successors to complete the unexpired term of any Board officer, including treasurer. The members of the Board shall annually elect officers. These officers shall be a chairperson, a treasurer and a secretary.~~

~~E. The Village's Human Resources Department shall be responsible for conducting the election, tallying ballots and reporting the election results.~~

2-32-3: TREASURER; FUND ESTABLISHED; EXPENDITURES:

A. The treasurer shall give bond to the Village in a sufficient amount as determined by the Village President; and the Village President shall approve such bond, conditioned upon the faithful performance by the treasurer of the treasurer's duties under this Article and under the rules and regulations promulgated in accordance with 65 Illinois Compiled Statutes 5/11-10-2, ~~Illinois~~ Municipal Code.

B. The treasurer shall establish a fund in which shall be deposited sums received from the Village Treasurer pursuant to the annual appropriation of the Village Board to the Department's Foreign Fire Insurance Board. The Fund shall be maintained in a manner consistent with procedures established by the Village for its other funds.

C. All expenditures from the Fund must be approved by the Foreign Fire Insurance Board. The Foreign Fire Insurance Board shall develop and maintain a ~~listing list~~ listing list of those items that the Board feels are appropriate expenditures under this Article. Expenditures shall be made by warrant, processed and issued in the manner established by the Village for the general expenditure of monies. Expenditures shall be subject to all Village ordinances, rules and policies governing the expenditure of ~~Municipal~~ Village funds.

D. Expenditures from the Fund may be made only for the maintenance, use and benefit of the Village's Fire Department. The Village Manager shall review all expenditures approved by the Board for the sole purpose of determining that such expenditures and approvals thereof are consistent with the requirements of this Article.

2-32-4: BOARD MEETINGS; CHAIRPERSON AND SECRETARY; RULES AND PROCEDURES:

A. The Board shall establish a regular time and place for its meetings and publish notice of same. The Board chairperson may call special meetings at any time subject to the requirements of the Open Meetings Act.

B. The Board chairperson shall preside at Board meetings. The secretary shall keep records of the proceedings and actions of the Board, and may certify same. The Board may establish rules of procedure not inconsistent with this Article which include provisions governing conduct of meetings, the duties of the Board and other matters necessary to administer the Fund. ~~A minimum vote of two (2) members of the Foreign Fire Insurance Board shall be required to approve any expense from the Foreign Fire Insurance Fund.~~

2-32-5: ANNUAL AUDIT OF FUND:

The Foreign Fire Insurance Fund shall be audited as a part of the annual ~~Municipal~~ Village audit to verify that expenditures from the Fund are for the maintenance, use and benefit of the Fire Department.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 18th day of September, 2017, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Button				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

APPROVED this 18th day of September, 2017.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 18th day of September, 2017.

Vicki Scaman, Village Clerk