

ORDINANCE NO. 2025-01

**BYRON FIRE PROTECTION DISTRICT
ORDINANCE AMENDING ORDINANCE NO. 2020-01
SPILLER PAYS AND OTHER SERVICE FEES ORDINANCE**

WHEREAS, the Byron Fire Protection District (the "District"), Ogle County, Illinois, is a fire protection district duly incorporated under the laws of the State of Illinois, including the Illinois Fire Protection District Act (70 ILCS 705/0.01 *et seq.*); and

WHEREAS, the Board of Trustees of the District (the "Board") has full power pursuant to 70 ILCS 705/6 and 430 ILCS 55/5, to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the District for carrying into effect the objects for which the District was formed; and

WHEREAS, the Board previously adopted Ordinance No. 2020-01 entitled "Spiller Pays and Other Service Fees Ordinance," addressing the financial responsibilities of persons or entities that cause hazardous materials to be spilled in the District, and requiring specialized emergency response by District personnel; and

WHEREAS, the Board finds that it is in the best interest of the District and the residents of the District to require that persons, homes and businesses receiving District provided fire, rescue and emergency services reimburse the District at the maximum rates permitted by law for costs accruing to the District from services provided.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Byron Fire Protection District, Ogle County, Illinois, as follows:

SECTION ONE: The Board finds and determines the above recitals to be true and correct, and incorporates them as if written out here in full.

SECTION TWO: That Sections 11(a) and 17(c) of Ordinance No. 2020-01 "Spiller Pays and Other Service Fees Ordinance" are amended hereinafter to read as follows:

SECTION ELEVEN: The charges for District Emergency Technical Rescue Services or any other related rescue service are as follows:

A. For each category of Technical Rescue Services provided, except Extrication Rescue/Recovery services:

Category	Resident	Non-Resident
1. Vehicles	\$125.00 per vehicle <u>per hour</u>	\$250.00 per hour
2. Team Members	\$35.00 per member <u>per hour</u>	\$70.00 per member <u>per hour</u>
3. Cost of all materials used in providing the response.		

SECTION SEVENTEEN: COSTS AND PENALTIES:

C. Charges for removal or remedial action when rendered by the District or any agency in accordance with any mutual aid agreement shall be as follows:

1. The cost of vehicles as determined by the responding agency, but **not to exceed** \$250.00 per hour for all District vehicles, or such maximum rate as allowed by Illinois law, as amended from time-to-time; and
2. The cost of all personnel including any overtime cost to the Byron Fire Protection District or to any responding agency, incurred as a result of the removal or remedial action, but **not to exceed** \$70.00 per hour per team member, or such maximum rate as allowed by Illinois law, as amended from time-to-time; and
3. The cost of all materials and equipment used, expended, depleted, destroyed or removed from service in accordance with federal, state or local ordinance as a result of the mitigation or containment operations or at the request of the District or any responding agency; and
4. The costs of service and/or goods provided by a private or public entity which are used, expended, depleted or destroyed as a result of the response.

SECTION THREE: If any section, paragraph or provisions of the Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Ordinance.

SECTION FOUR: The Secretary of the Byron Fire Protection District is hereby directed to publish this Ordinance at least once in a newspaper published in the District. 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 FIVE: This Ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this 22nd day of July 2025, by the following roll call vote:

AYES: Kuss, Beitel, Snider, Higgins + Logston

NAYS: None

ABSENT: None



President, Board of Trustees
Byron Fire Protection District

ATTEST:


Secretary, Board of Trustees
Byron Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS

SECRETARY'S CERTIFICATE

I, Matt Kuss, the duly qualified and acting Secretary of the Board of Trustees of the Byron Fire Protection District, Ogle County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 22nd day of July 2025.

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 22nd day of July 2025.



Secretary, Board of Trustees
Byron Fire Protection District