

59-O-95

AN ORDINANCE

Providing for an Evanston Foreign Fire Insurance Board  
Pursuant to Section 11-10-2 of the Illinois Municipal Code  
(65 ILCS 5/11-10-2)

WHEREAS, pursuant to Section 11-10-1 of the Illinois Municipal Code, 65 ILCS 5-11-10-1, the City of Evanston has established by Ordinance a tax or fee upon foreign fire insurance companies derived from their gross receipts from property in the City; and

WHEREAS, Section 11-10-2 of the Illinois Municipal Code as recently amended by P.A. \_\_\_ provides that any municipality containing less than 250,000 in population shall pass an ordinance to provide for the election of officers of the Fire Department Foreign Fire Insurance Board.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF EVANSTON, COOK COUNTY ILLINOIS AS FOLLOWS:

SECTION 1: That 3-2-3(E) of the code of the City of Evanston be amended to read follows:

I. FOREIGN FIRE INSURANCE BOARD.

There is hereby established a board known as the Foreign Fire Insurance Board (Board). This board shall be comprised of and shall exercise the powers as designated herein consistent with Section 11-10-2 of the Illinois Municipal Code.

II. ELECTION OF OFFICERS

- a. The board shall consist of 5 members. The members of the board shall be designated; chairman, vice chairman, secretary, treasurer and trustee. Each member of the board shall be an active, full-time, member of the Evanston Fire Department (Department).
- b. The members of the board shall be elected by the active, full time members of the Department.
- c. The members of the board shall serve two (2) year terms and until their successors are elected. The initial terms of office of the members of the board shall begin thirty-days after the completion of the election and each member of board shall hold office during his/her term unless he/she no longer holds a qualifying position (is no longer an active

full-time member of the department) in Department, in which case the respective term shall cease immediately and the member shall thereby be removed from the board.

- d. Vacancies in the board shall be filled by election by the active, full time members of the department, and such election shall be for the balance of the unexpired term.

### III. ELECTION PROCEDURE (TEMPORARY)

- a. There is hereby established a Temporary Evanston Fire Department Election Committee. The Temporary Election Committee shall consist of three members. The Chief of the Evanston Fire Department shall serve ex officio as Chairman of the Committee. The Chief shall appoint one member of the Department to serve on the Committee and one member shall be the bargaining unit President.
- b. The Temporary Election Committee shall be responsible for organizing, conducting and supervising the initial election of Department officers to serve on the Board. Thereafter, the Board shall establish election procedures consistent with this ordinance.
- c. The Board shall develop a procedure for governing the nomination of members to run for the various offices to serve on the Board. The nominating procedure shall be established a minimum of thirty (30) days prior to the expiration of the Board members' terms of office.
- d. The Board shall develop a procedure for the final election of members to the various offices on the Board. The final election procedure shall be established a minimum of thirty (30) days prior to the expiration of the Board members' terms of office.
- e. The Board may adopt rules and regulations governing the election of officers of the Board. All rules and regulations with respect to the election process shall be posted throughout the department a minimum of thirty (30) days prior to the election.

### IV. POWERS AND DUTIES AND PROCEDURES

- a. The Board shall make all needful rules and regulations with respect to the Foreign Fire Insurance Board and/or the management of monies appropriated to the Board.
- b. Prior to the appropriation of funds by the Evanston City Council, the Board shall develop and maintain a listing of those items that the Board feels are appropriate expenditures under the statute (ICLS 65 5/11-10-2.)

- c. All expenditures by the board shall be in accordance with all City of Evanston Ordinances, rules, procedures and policies concerning the expenditure of municipal funds.
- d. The funds of the board shall be annually reviewed as part of the City of Evanston audit. The audit shall verify that purchases by the board are for the maintenance, use and benefit of the Evanston Fire Department.
- e. The treasurer of the Board shall give a sufficient bond to the City of Evanston. This bond shall be approved by the Mayor. The bond shall be conditioned upon the faithful performance by the treasurer of his or her duties under the state statute, ordinance, and the rules and regulations adopted by the board.
- f. The funds received by the City of Evanston pursuant to the levy of the Foreign Fire Insurance Company tax shall be set apart and shall be appropriated annually by the City Council of the City of Evanston, to the Evanston Fire Department Foreign Fire Insurance Board.
- g. The treasurer of the board shall receive funds appropriated by the City, and shall pay out money and or otherwise make expenditures upon the order of the board. Any expenditures made by the treasurer, pursuant to the order of the board, shall be solely for the maintenance, use and benefit of the Evanston Fire Department.

V. QUORUM, SPECIAL MEETINGS

The board shall, in accordance with the open meetings act, establish a regular time and place for its meetings; and publish notice of same. The board shall be subject to the provisions of the Illinois Open Meeting Act. The Chairman shall preside at board meetings, the secretary shall keep record of the proceedings and actions of the board and may certify the same. Three members of the board shall constitute a quorum for the transaction of business. The Chairman may call a special meeting at any time. A special meeting may also be called upon the written notice of three (3) members of the board. Such notice shall be in writing, duly signed by the board members. Such notice shall describe in brief the nature or object of the special meeting. Any person shall be entitled to appear and be heard on any matter before the board. Minutes of board meetings shall be filed with the City Clerk.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: June 12, 1995

Adopted: June 26, 1995

Approved: June 30, 1995

Lorraine H. Morton  
Mayor

ATTEST:

Justin Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel