

Ordinance No.2014-04

AN ORDINANCE TO TAX AND LICENSE FOREIGN FIRE INSURANCE COMPANIES

WHEREAS, the Fox River & Countryside Fire/Rescue District (the "District") is a fire protection duly organized pursuant to the laws of the State of Illinois; and

WHEREAS, the District Board of Trustees (the "Board") has full power 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 (70 ILCS 705/6); and

WHEREAS, The District intends to establish an ordinance to tax and license foreign fire insurance companies as provided in Foreign Fire Insurance Company Fees (65 ILCS 5).

NOW, THEREFORE, Be It Ordained by the Board of Trustees of Fox River & Countryside Fire/Rescue District:

Section One: It shall be unlawful for any corporation, company or association, not incorporated under the laws of the State of Illinois, to engage in the District, in effecting fire insurance, or to transact any business of fire insurance in the district, while in default by not fully complying with any of the requirements of this Ordinance, and until such requirements shall have been fully complied with; but this provision shall not be undertaken in violation of this Ordinance.

Section Two: Any such corporation, company or association not incorporated under the laws of the State of Illinois, which is engaged in the District in effecting fire insurance shall pay the Secretary of the District, for the maintenance, use and benefit of the Fire Department of the District, a sum of money equal in amount to two (2) percent per annum of the gross receipts received as premiums upon fire insurance policies by any and all agents of such corporation, company or association, during the year ending on the first day of July in each year, for any insurance effected, or agreed to be effecting on property located in the District by or with such corporation, company or association during such year.

Section Three: Every person acting in the District as agent, for or on behalf of any such corporation, company or association, shall, on or before the fifteenth day of July of each and every year, render the Secretary of the District a full, true and just account verified by his oath, of all premiums upon fire insurance policies which, during the year ending the first day of July preceding such report, shall have been received by him, or by some other person for him, in behalf of any such corporation, company or association on property located in the District. Such agent shall also at the time of rendering the aforesaid report, pay to the Secretary of the District the sum of money for which each such company, corporation or association, represented by him is chargeable, by virtue of the provisions of this Ordinance.

Section Four: The sum of money for which such company, corporation or association is so chargeable may be recovered of it, or its agents or agent, by an action in the name of and for the use of the District as for money had and received. Nothing in this section shall be held to exempt any person, corporation, company or association from indictment and conviction under the provisions of an act entitled "An Act to enable cities, towns, villages and fire protection districts, organized under any general or special law to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments", in force July 1, 1895, as amended.

Section Five: No insurance agent in the District shall have any insurance business or dealings with any company, association or corporation not incorporated under the laws of this State, which shall be in default for not reporting or making payments as hereinbefore provided, until it shall have complied with all the requirements of this Ordinance.

Section Six: Any person, firm, or corporation violating any of the provisions of this article shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

Section Seven: All ordinances and parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent that they may conflict.

Section Eight: If any section, part or provision of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect the remaining sections of this Ordinance.

Section Nine: This Ordinance shall be effective upon passage

PASSED by the Board of Trustees of the Fox River & Countryside Fire/Rescue District and deposited and filed in my office this 28th day of April, A.D. 2014.

Approved this 28th day of April, 2014.

President, Board of Trustees

ATTEST: _____

Terry Jeglum, Secretary

Ayes: _____

Nays: _____

Absent: _____

SEAL

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 & DuPage Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. 2014-04

AN ORDINANCE TO TAX AND LICENSE FOREIGN FIRE INSURANCE COMPANIES

FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT

KANE AND DUPAGE COUNTIES, ILLINOIS

Which Ordinance was duly adopted by said Board of Trustees at a meeting held on April 28, 2014.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and the Board met all the requirements of the Illinois Open Meeting Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of April, 2014.

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

[SEAL]