

ORDINANCE NO. 2026-01

**AN ORDINANCE ESTABLISHING REASONABLE  
FEES FOR EXCESSIVE LIFT ASSISTS BY THE  
FOX RIVER AND COUNTRYSIDE FIRE / RESCUE DISTRICT**

**WHEREAS**, the Fox River and Countryside Fire / Rescue District, Kane and DuPage Counties, Illinois, is a fire protection district duly incorporated under the laws of the State of Illinois, including the Illinois Fire Protection District Act (the "Act", 70 ILCS 705/0.01 *et seq.*); and

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

**WHEREAS**, the District and its taxpayers incur significant costs to provide non-emergency related lift assists at assisted living facilities and nursing homes; and

**WHEREAS**, the District and its taxpayers incur significant costs to provide lift assists; and

**WHEREAS**, requests for lift assists are increasing operational costs and diverting the District's limited resources away from other calls for service and emergencies in the District; and

**WHEREAS**, Section 11n of the Act grants the Board the authority to impose "reasonable fees from an assisted living facility or nursing home facility for every lift-assist service after the sixth lift assist service provided to that assisted living facility or nursing home facility that year" (70 ILCS 705/11n); and

**WHEREAS**, the District finds that it is appropriate, necessary, and in the best interest of the District to impose fees in accordance with Section 11n of the Act (70 ILCS 705/11n).

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

**Section 1. Incorporation of Recitals:** The foregoing recitals shall be and are hereby incorporated as if fully set forth herein.

**Section 2. Definitions:** The following terms shall be defined to mean:

A. "Assisted Living Facility" means any facility licensed under the Assisted Living and Shared Housing Act, 210 ILCS 9/1 *et seq.*, as well as any other residential setting that provides assisted-living services for remuneration to three or more persons who reside in a residential setting and are not related to the owner of the residential setting, including but not limited to a Supportive Living Program participant that is regulated by the Illinois Department of Healthcare and Family Services.

B. "Lift assist" means a response to an assisted living facility or nursing home facility by the District or by another public safety agency that provides automatic or mutual aid to the District in order to lift a patient or other individual from the individual's current position to a desired position, provided that the act of lifting a patient or other individual during a response to a request for transportation to a health care facility (*e.g.*, a hospital or emergency room) shall not be considered a "lift assist."

C. "Nursing Home" means a facility licensed under the Nursing Home Care Act, 210 ILCS 45/1 *et seq.*, or a facility or long-term care facility where medical care, nursing care, rehabilitation or related services and associated treatment are provided for a period of more than twenty-four (24) consecutive hours to persons residing at such facility who are ill, injured, or disabled.

**Section 3. Lift Assist Fee Applied:** Effective January 1, 2026, the District shall charge Assisted Living Facilities and Nursing Homes a sum equal to fifty percent (50%) of the District's highest prevailing Ground Emergency Medical Transport ("GEMT") rate for each lift assist performed by District personnel, beginning with the seventh lift assist at each facility within a calendar year.

**Section 4. Preclusion:** Nothing in this Ordinance shall preclude the assessment of fees or other charges pursuant to any other District ordinance or resolution.

**Section 5. Severability:** The provisions and sections of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

**Section 6. Repeal of Conflicting Provisions:** All ordinances, resolutions and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

**Section 7. Waiver:** The Fire Chief is hereby authorized to waive any or all of the fees due under this Ordinance. The Fire Chief may do so by policy or on an individual basis.

ADOPTED this 13 day of January, 2026, by the following roll call vote:

AYES: Gaffney, Manheim, Kennedy, McManus

NAYS: \_\_\_\_\_

ABSENT: Seiffert

Neil P. Manheim

President, Board of Trustees  
Fox River and Countryside Fire / Rescue District

ATTEST:

JJ Seiffert  
Secretary, Board of Trustees  
Fox River and Countryside Fire / Rescue District

STATE OF ILLINOIS )  
 )  
COUNTIES OF KANE AND )  
DUPAGE )

**SECRETARY'S CERTIFICATE**

I, the undersigned duly qualified and acting Secretary of the Board of Trustees of the Fox River and 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:

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which Ordinance was duly adopted by said Board of Trustees at a meeting held on this 13 day of January, 2026.

I further certify that a quorum of the Board of Trustees was present at the meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act. I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of January 2026.

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