

ORDINANCE NO. 25-002

**AN ORDINANCE ESTABLISHING REASONABLE
FEES FOR EXCESSIVE LIFT ASSISTS BY THE
SOUTH ELGIN & COUNTRYSIDE FIRE PROTECTION DISTRICT**

WHEREAS, the South Elgin & Countryside Fire Protection District (the “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 renders emergency medical services to residents and non-residents in the performance of its obligations to the public; 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, 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 South Elgin & Countryside Fire Protection 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 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 an Assisted Living Facility or Nursing Home a reasonable fee, as set forth in Exhibit "A" for each lift assist performed by District personnel at said Assisted Living Facility or Nursing Home after the sixth lift assist performed at that 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.


Section 8. Publication: The Secretary of the South Elgin & Countryside Fire Protection District is hereby directed to publish this Ordinance in full at least once in a newspaper published in the District. Publication shall take place at least ten days prior to implementation of this Ordinance. The provisions of this Ordinance shall be in full force and effect ten days after publication as provided by law (70 ILCS 705/7).

ADOPTED this 11th day of November, 2025, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 1



President, Board of Trustees
South Elgin & Countryside Fire Protection District

ATTEST:



Secretary, Board of Trustees
South Elgin & Countryside Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF KANE)

SS

SECRETARY'S CERTIFICATE

I, the undersigned duly qualified and acting Secretary of the Board of Trustees of the South Elgin & Countryside Fire Protection 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 11th day of November, 2025.

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 lawful keeper of same.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of November, 2025.



Secretary, Board of Trustees
South Elgin & Countryside Fire Protection District

**“EXHIBIT A”
FEE SCHEDULE**

After the sixth lift assist in a calendar year, the District shall assess a fee equal to 50% of the District's then prevailing ambulance fee for each successive lift assist.