



BENSENVILLE FIRE PROTECTION DISTRICT NO. 2

BY-LAWS

**FOR THE BENSENVILLE FIRE PROTECTION DISTRICT
No. 2 FOREIGN FIRE INSURANCE FUND**

Adopted: December 19, 2023

Effective: January 1, 2024

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ARTICLE I - ESTABLISHMENT OF BENSENVILLE FIRE PROTECTION DISTRICT No. 2 FOREIGN FIRE INSURANCE FUND

There is hereby established a Foreign Fire Insurance Board ("Foreign Fire Insurance Fund") to be managed and administered by the Bensenville Fire Protection District No. 2 Foreign Fire Insurance Board pursuant to the Articles contained herein and all applicable, state, and local laws.

ARTICLE II – IDENTITY

Section 1: NAME

The name of this organization shall be the "Bensenville Fire Protection District No. 2 Foreign Fire Insurance Board" (Hereinafter referred to as "the Board").

Section 2: ADDRESS

The principal address of the Board shall be: 500 S. York Road, Bensenville Illinois 60106.

Section 3: PURPOSE

The purposes of the Board are stated as follows:

To collect and receive all annual tax proceeds assessed by the Illinois Municipal League and collected by the Treasurer of the Bensenville Fire Protection District No. 2 pursuant to (65 ILCS 5/11-10-1) 70 ILCS 705/11i as added by Public Act 96-0505 and Bensenville Fire Protection District No. 2 Resolution 2023-01. Such proceeds shall be deposited into a fund known as the "Foreign Fire Fund."

To spend the tax proceeds provided for maintenance, use and benefit of the Bensenville Fire Protection District No. 2 pursuant to 70 ILCS 705/11i, Public Act 96-0505 and Bensenville Fire Protection District Resolution 2023-01.

Section 4: STATUS

The Board shall be considered a "Not for Profit Organization" as allowed by Illinois law.

ARTICLE III - RESPONSIBILITIES

The Board, its officers, representatives, and members shall recognize, observe, and be bound by the provisions of these by-laws and all applicable federal, state, and local laws.

ARTICLE IV - JURISDICTION

The jurisdiction of the Board shall be as provided in 70 ILCS 705/11i, Public Act 96-0505 and Bensenville Fire Protection District No. 2 Resolution 2023-01.

ARTICLE V -MEMBERSHIP

Membership of the Board shall be made up of members of the Bensenville Fire Protection District No. 2.

ARTICLE VI -OFFICERS

The officers of the Board shall consist of a President, Vice President, Secretary, Treasurer, and Fire Chief or his designee. All such officers are to be elected for a period of two (2) years with the president and treasurer positions in the odd years and the secretary and vice president positions in the even years. All elections will be held in April.

ARTICLE VII -NOMINATIONS AND ELECTIONS

Section 1: OFFICER ELIGIBILITY

All officers of the Board must be active members of the Bensenville Fire Protection District No. 2, including the fire chief. No member of the Bensenville Fire Protection District No. 2 may hold more than one Board office at any time.

Section 2: VOTER ELIGIBILITY

All voted members of the Board must be elected by the majority vote of the active members of the Bensenville Fire Protection District No. 2. Fifty percent plus 1 vote.

Section 3: NOMINATIONS AND ELECTIONS

The nominations and election of any members of the Board shall be done annually and nominations shall be posted Thirty (30) calendar days prior to election. All elections of any members of the Board must occur before the expiration of the term of the Board position up for election.

Section 4: METHOD OF BALLOTING

Elections shall be by secret ballot and collected on duty after nominations have been closed and over a nine-day (9) period. There shall be no voting by proxy in the election of Board members. The candidate receiving the most ballots cast shall be declared elected.

Section 5: BALLOTS PRESERVED

The Secretary of the Board shall preserve the ballots and other records of an election for two (2) years following each election.

Section 6: VACANCIES IN OFFICE

Should a vacancy occur during the calendar year due to death, resignation, or removal of the incumbent? By a vote of the majority of the members, the President will appoint a member to fill that office for the balance of the term. Unless the vacancy occurs in the office of the President, in which case the Vice President shall assume that office for the balance of the term and a special election by the Board members will be held to fill the office of the Vice President.

ARTICLE VI 11 -DUTIES OF OFFICERS

Section 1: PRESIDENT

The President shall be recognized as the chief elected officer of the Board and shall become the prime representative and spokesperson of the Board. The President shall have full authority to preside over all meetings or functions, shall negotiate all vouchers, shall be responsible for the conduct and civic standing of the Board and shall perform such duties as ordinarily pertains to the office.

Section 2: VICE PRESIDENT

In the absence of the President, he/she shall preside at the meetings of the Board.

Section 3: SECRETARY

The Secretary shall assist the President in any such manner as the President may determine. The Secretary shall keep an accurate account of the proceedings occurring at all meetings of the Board, give proper and timely notice of all meetings of the Board, maintain a neat and orderly file of all Board proceedings, act as the custodian of all books, records and correspondence of the Board, furnish a comprehensive report of the year's activities at the annual meeting and perform such duties as ordinarily pertains to the office.

Section 4: TRESURER

The Treasurer shall be charged with the responsibility of monitoring the receipt and expenditure of all monies. He/she shall maintain a current ledger showing the starting fund balance and subsequent debits for items purchased. He/she shall be prepared to present a financial statement annually in January of each year. The Treasurer shall comply with the duties and responsibilities applicable to the Treasurer set forth in section 70 ILCS 705/11i, Public Act 96-0505 and Bensenville Fire Protection District No. 2 Resolution 2023-01. The Treasurer shall receive funds collected by the Bensenville Fire Protection District No. 2 as foreign fire insurance tax proceeds or any funds that may be appropriated by the district and shall pay out money and make expenditures upon

the order of the Board of Directors as provided for under the by-laws. Any expenditure made by the Treasurer, following an order from the Board of Directors, shall be solely for the maintenance, use and benefit of the Bensenville Fire Protection District No. 2 as a whole. At no time shall payments be given to specific members as individual payout.

Section 5: FIRE CHIEF

The Fire Chief resides on the board to represent the Fire District Board of Trustees and has authority to approve or disapprove of any purchases. The Fire Chief is also on the board to vote anytime there is a vote in a tie. Once purchases are made, they become the property of the Fire District.

ARTICLE IX -MEETINGS

SECTION 1: SCHEDULE

The Board shall meet at least once a quarter. Time and place of such meeting shall be forwarded to the Fire Chief or his designate and posted as required by the Illinois Open Meeting Act and in all Bensenville Fire Protection District No. 2 Buildings by the Secretary.

SECTION 2: SPECIAL MEETINGS

A Special Meeting may be called by the President or a majority of the members of the Board. Time and place of such meeting shall be forwarded to the Fire Chief or his designate and posted as required by the Illinois Open Meeting Act and in all Bensenville Fire Protection District No. 2 Buildings by the Secretary. The notice shall state the business to be considered at such meeting and no business other than that posted shall be in order.

SECTION 2: POSTING

Notice of any annual or special meeting and its agenda will be posted in each of the fire stations and on the Bensenville Fire Protection District No. 2 web site. A copy will be forwarded to the Fire Chief or his designate in conformance with the Illinois Open Meetings Act (5 ILCS 120/1) with a formal copy of Agenda.

SECTION 3: QUORUM

At any Board of Directors meeting, at least three (3) officers shall constitute a quorum with full power to act upon all questions that may come before them unless otherwise provided for herein. An affirmative vote of a majority of the officers present shall constitute approval of the business before it unless otherwise provided for herein.

SECTION 4: ATTENDANCE AND PARTICIPATION

Any member of the Bensenville Fire Protection District No. 2 shall have the right to attend and participate in discussions, however, non-board members cannot vote.

SECTION 5: RULES

Unless otherwise provided for herein, all meetings shall be governed by Robert's Rule of Order. In addition, all meetings shall be held in accordance with the Illinois Open Meeting Act.

ARTICLE X - MANAGEMENT AND ADMINISTRATION OF FUND

The Foreign Fire Tax Board shall administer the Foreign Fire Fund in accordance with the following rules and regulations:

- A. The Board shall have the power to approve the expenditure of monies from the Fund for the maintenance, use, and benefit of the Bensenville Fire Protection District No. 2 organization.
- B. The Board may adopt, amend, or revoke rules and regulations for governing the Board and the execution of duties of the Board, and provide for election of the Board and management of the Fund with the Board of Fire Trustees approval.
- C. The Board with approval of the Fire Chief or his designate shall have the discretion to make any expenditure(s) up to and including the amount of the Fire Chiefs authority.
- D. The Treasurer of the Board shall receive the money paid into the Foreign Fire Fund, as provided for above, and shall pay out the money only upon the order of the Board of Trustees, as provided for under the bylaws, and for the maintenance, use and benefit of the Bensenville Fire Protection District.
- E. The Board shall develop a procedure for receiving and reviewing all requests from the department members for services and items, which would be for the maintenance, use and benefit of the Bensenville Fire Protection District No. 2 organization or community. It will further be the duty of the Board to prioritize such requests and to recommend funds as it deems necessary and in accordance with the provisions contained herein.

ARTICLE XI - COMPENSATION AND REIMBURSEMENT

The President, Vice President, Secretary, Treasurer, and Fire Chief shall receive no compensation for any services rendered on behalf of the Board. Board members will not be compensated for any involvement and/or participation in the Board.

ARTICLE XII - AMENDMENTS AND REGULATIONS

SECTION 1: AUTHORITY TO CREATE RULES AND REGULATIONS

The District Board of Trustees shall be empowered to make all needful rules and regulations with respect to Board's operation and/or the management of monies appropriated to the Foreign Fire Fund as designated in 70 ILCS 705/11i(d) and Bensenville Fire Protection District No. 2 Resolution 2023-01. Such rules and regulations must not be inconsistent with any applicable law, or any provision contained herein and will only be effective upon the majority vote of the members of the Foreign Fire Board and approval of the Fire District Board.

SECTION 2: AMENDMENTS

These By-Laws may be amended by a majority of the quorum of the total Board.

SECTION 3: POSTING OF By-Laws

These by-laws must be posted in each fire station. A copy of the same shall be provided to the Board of Trustees. Two (2) members of the Board will be elected annually for a two (2) year term. Elections will be held in April of each year and newly elected members will take office at the following scheduled meeting.

ARTICLE XIII – ACCOUNTING PRACTICES

SECTION 1: PRACTICES

Good and sound decisions and accounting principles will be followed regarding the holding and spending of any monies.

SECTION 2: AUDIT


The Foreign Fire Board shall engage the services of the Fire District's auditor and comply for the purposes of an annual audit of the Board's books and accounts and shall present a report of the audit annually as designated in 70 ILCS 705/11i(h).

SECTION 3: CALENDAR YEAR

The fiscal year of the Board shall run concurrently with the Bensenville Fire Protection District No. 2 fiscal year (i.e., January 1 through December 31). Any monies that are not spent within their accrued calendar year will roll-over into the following year's fund without penalties.

Executed this 19 day of December 2023 after receiving official approval by the Board of Trustees of the Bensenville Fire Protection District No. 2 Foreign Fire Insurance Fund.

The Board of Trustees of the Bensenville Fire Protection District No. 2 Foreign Fire Insurance Fund:

By: 
President – Jerry Budnik

By: 
Treasurer – Doug Eltman

By: 
Secretary – Nick Panicola