

**ORDINANCE NO. 10-0-1**

**ORDINANCE ESTABLISHING A FIVE-MEMBER BOARD OF TRUSTEES**

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WHEREAS, the Pleasantview Fire Protection District is an Illinois municipal corporation created, maintained and operated by and through the Fire Protection District Act (70 ILCS 705); and

WHEREAS, Section 1 of the Fire Protection District Act confers upon and vests in fire protection districts all powers necessary or appropriate in order that they may engage in the acquisition, establishment, maintenance and operation of fire stations, facilities, vehicles, apparatus and equipment for the prevention and control of fire therein and the underwater recovery of drowning victims, and provide as nearly adequate protection from fire for lives and property within the District as possible and regulate the prevention and control of fire therein; and

WHEREAS, Section 4 of the Fire Protection District Act provides for a Board of Trustees for the government, operation and control of the affairs and business of the fire protection district; and

WHEREAS, the Pleasantview Fire Protection District is presently governed by a three-member elected Board of Trustees; and

WHEREAS, the Board of Trustees have determined that it is in the public interest to expand the members of the Board of Trustees to five, and that such expansion is necessary to promote and maintain the efficient and effective oversight and operation of the Fire Protection District. The additional trustees are necessary now to ensure a broadening assumption of duties and responsibilities and ensure the availability of a quorum of trustees to conduct regular or emergency business of the Board of Trustees in the event of absence or illness of one or more trustees; and

WHEREAS, the Fire Protection District Act has been amended by Public Act 096-0172 by adding Section 4.03 thereto permitting the establishment by ordinance of a five-member Board of Trustees who are to be elected at the next Consolidated Election for Trustees; and

WHEREAS, the next Consolidated Election for Trustees will not occur until 2011; and

WHEREAS, the Board of Trustees of the Pleasantview Fire Protection District has determined that it is not in the public interest to wait until 2011 to fill vacant Trustee positions; and

WHEREAS, the Board of Trustees of the Pleasantview Fire Protection District have determined that it is their duty and responsibility to fill the vacant positions of Trustees by appointment and have determined that they are authorized to do so under procedures that are consistent with the Fire Protection District Act and otherwise.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE PLEASANTVIEW FIRE PROTECTION DISTRICT, AN ILLINOIS MUNICIPAL CORPORATION, COOK AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

**SECTION I**

The Board of Trustees of the Pleasantview Fire Protection District is hereby expanded to five members.

**SECTION II**

The two added Trustees shall be elected at the next Consolidated Election for Trustees as provided in the General Election Law and Section 4.03 of the Fire Protection District Act.

**SECTION III**

The offices of Trustee who are to be elected at the next Consolidate Election for Trustees are declared to be vacant and the Board of Trustees, by nomination and election, may appoint persons to serve in the office of Trustee and to assume the duties of office until persons have been elected to the office of Trustee and have qualified for office.

**SECTION IV**

It is hereby declared to be the intention of the Board of Trustees of the Pleasantview Fire Protection District that the several provisions of this Ordinance are separable.

If any court of competent jurisdiction should adjudge any provision or a part thereof of this Ordinance to be invalid, such judgment shall not affect any other provision or part thereof of this Ordinance including other parts of the provision declared invalid which are not specifically declared to be invalid in said judgment.

**SECTION V**

All ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed insofar as they conflict herewith.


SECTION VI

This Ordinance shall become and be effective immediately upon its passage and approval in the manner prescribed by law.

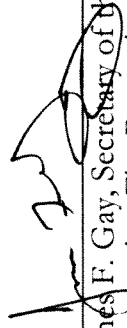
PASSED this 12<sup>th</sup> day of January, 2010.

AYES:	<u>Kubicki, Gay</u>
NAYS:	<u>None</u>
ABSTAIN:	<u>None</u>
ABSENT:	<u>Smith</u>

APPROVED this 12<sup>th</sup> day of January, 2010.

  
Ronald P. Kubicki, President of the Board of Trustees of the Pleasantview Fire Protection District, Cook and DuPage Counties, Illinois

ATTESTED AND DEPOSITED IN THE Office of the Secretary this 12<sup>th</sup> day of January, 2010.

  
James F. Gay, Secretary of the Board of Trustees of the Pleasantview Fire Protection District, Cook and DuPage Counties, Illinois