



Ottosen DiNolfo
Hasenbalg & Castaldo, Ltd.

1804 North Naper Boulevard, Suite 350, Naperville, IL 60563
Phone 630.682.0085 ♦ Fax 630.682.0788 ♦ www.ottosenlaw.com

March 23, 2022

VIA FEDERAL EXPRESS

Kankakee County Clerk
189 E Court St. #1
Kankakee, IL 60901

Dear Sir or Madam:

Enclosed is a certified copy of an Ordinance for the Submission of a Public Question at the General Election for filing. Please file stamp the additional copy and return in the enclosed envelope. Thank you.

Sincerely,

John Motylinski

Enclosures

ORDINANCE NO. 032222

**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE BOURBONNAIS FIRE PROTECTION DISTRICT,
KANKAKEE COUNTY, ILLINOIS, PROVIDING FOR AND REQUIRING THE
SUBMISSION OF A PUBLIC QUESTION TO INCREASE THE LIMITING RATE
FOR SAID DISTRICT, TO BE SUBMITTED TO THE VOTERS OF THE DISTRICT
AT THE GENERAL PRIMARY ELECTION TO BE HELD ON JUNE 28, 2022**

WHEREAS, the Board of Trustees (the "Board") of the Bourbonnais Fire Protection District, Kankakee County, Illinois (the "District") deems it advisable and in the best interests of the District and its residents to continue to provide fully adequate fire and emergency medical services to and from points inside and outside of the District; and

WHEREAS, the District is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended ("PTELL"); and

WHEREAS, sufficient funds are not available to ensure the continuation of the foregoing purposes, and it is necessary and in the best interest of this District to increase its maximum allowable limiting rate as determined by provisions of PTELL; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the District by an additional amount equal to .3652% above the limiting rate for levy year 2020 and establishing the same at .8% of the equalized assessed value of the taxable property therein for levy years 2022 and 2023; and

WHEREAS, the most recent levy year for which the limiting rate of the District is known is 2020 and the most recent limiting rate was set by the Kankakee County Clerk at 0.4348%; and

WHEREAS, before the District is authorized to increase its limiting rate to .8%, a proposition (the "Proposition") must be submitted to the voters of the District as provided by the PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in and for the District; and

WHEREAS, the Board hereby deems it advisable, necessary, and in the best interests of the District that the Proposition authorizing the District to increase its maximum allowable limiting rate be submitted to the voters of the District at an election to be held and conducted in accordance with the general election laws.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Bourbonnais Fire Protection District, Kankakee County, Illinois, as follows:

Section 1: That the Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by reference.

Section 2: That the following proposition shall be submitted to the voters of the District at the General Primary Election to be held on Tuesday, June 28, 2022 between the hours of 6:00 a.m. and 7:00 p.m. on said day (the "Election"):

Shall the limiting rate under the Property Tax Extension Limitation Law for the Bourbonnais Fire Protection District, Kankakee County, Illinois, be increased by an additional amount equal to .3652% above the limiting rate for the purpose of fire protection and ambulance service for levy year 2020 and be equal to .8% of the equalized assessed value of the taxable property therein for levy years 2022 and 2023?

Section 3: That the Election shall be held in the voting precincts and at the polling places established by the Kankakee County Board (the "County Board") for voters of the District at the Election.

Section 4: That notice of the Election (the "Notice") shall be given in accordance with the general election law of the State of Illinois by the Election Authority by (i) publishing the Notice once in a local community newspaper having general circulation in the District not more than sixty (60) days nor less than ten (10) days prior to the date of the Election; and (ii) posting a copy of the Notice at least ten (10) days before the date of the Election at the principal office of the Election Authority, as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "Election Code").

Section 5: That not less than ten (10) days before the date of the Election, the Secretary of the Board shall post a copy of the Notice at the principal office of the District.

Section 6: That it is hereby found and determined that the *Daily Journal* is a local community newspaper having general circulation in the District as required by Section 12-5 of the Election Code.

Section 7: That said Notice shall appear over the name or title of the Election Authority and shall be substantially in the following form:

NOTICE OF ELECTION

**BOURBONNAIS FIRE PROTECTION DISTRICT
KANKAKEE COUNTY, ILLINOIS**

NOTICE IS HEREBY GIVEN that at the General Primary Election to be held on Tuesday, June 28, 2022, the following proposition will be submitted to the voters of the Bourbonnais Fire Protection District, Kankakee County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for the Bourbonnais Fire Protection District, Kankakee County, Illinois, be increased by an additional amount equal to .3652% above the limiting rate for the purpose of fire protection and ambulance service for levy year 2020 and be equal to .8% of the equalized assessed value of the taxable property therein for levy years 2022 and 2023?

- (1) The approximate amount of taxes extendable at the most recent extended limiting rate is \$2,187,889.53, and the approximate amount of taxes extendable if the proposition is approved is \$4,025,555.71.
- (2) For the 2022 levy year, the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value of \$100,000 is estimated to be \$121.73.
- (3) Based upon an average annual percentage increase in the market value of such property at 3.05%, the approximate amount of the additional tax extendable against such property for the 2023 levy year is estimated to be \$125.44.
- (4) If the proposition is approved, the aggregate extension for 2022 and 2023 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The polls will be open at 6:00 a.m. and continue to be open until 7:00 p.m. on that day.

DATED this ____ day of _____, 2022.

Section 8: That the ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

**PROPOSITION TO INCREASE THE LIMITING RATE OF
THE BOURBONNAIS FIRE PROTECTION DISTRICT**

INSTRUCTIONS TO VOTERS: Mark a cross (X) in the square opposite the word indicating the way you desire to vote.

Shall the limiting rate under the Property Tax Extension Limitation Law for the Bourbonnais Fire Protection District, Kankakee County, Illinois, be increased by an additional amount equal to .3652% above the limiting rate for the purpose of fire protection and ambulance service for levy year 2020 and be equal to .8% of the equalized assessed value of the taxable property therein for levy years 2022 and 2023?	YES	
	NO	

- (1) The approximate amount of taxes extendable at the most recent extended limiting rate is \$2,187,889.53, and the approximate amount of taxes extendable if the proposition is approved is \$4,025,555.71.
- (2) For the 2022 levy year, the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value of \$100,000 is estimated to be \$121.73.
- (3) Based upon an average annual percentage increase in the market value of such property at 3.05%, the approximate amount of the additional tax extendable against such property for the 2023 levy year is estimated to be \$125.44.
- (4) If the proposition is approved, the aggregate extension for 2022 and 2023 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax

Cap Law).

(Back of Paper Ballot)

OFFICIAL BALLOT

GENERAL PRIMARY ELECTION - TUESDAY, JUNE 28, 2022

**BOURBONNAIS FIRE PROTECTION DISTRICT
KANKAKEE COUNTY, ILLINOIS**

Official ballot for voting on the proposition to increase the limiting rate of the Bourbonnais Fire Protection District, Kankakee County, Illinois.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)

County Clerk, County of Kankakee, Illinois

Section 9: That the Election shall be conducted by the election judges appointed by the Election Authority to act in the voting precincts at which said proposition will be submitted to the voters of the District.

Section 10: That the Secretary of the Board shall, not less than sixty-eight (68) days before the Election, certify to the Election Authority the proposition as hereinabove set forth to be submitted to the voters of the District at the Election. Such certification shall include the form of the public question to be placed on the ballot, the date on which the public question was initiated by the adoption of this Ordinance, and a certified copy of the Ordinance, and shall be substantially in the form of **EXHIBIT A** attached hereto and hereby made a part of this Ordinance.

Section 11: That the Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and the time provided by law.

Section 12: That all ordinances and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and that this Ordinance be in full force and effect forthwith upon its adoption.

ADOPTED this 22nd day of March, 2022, by a roll call vote as follows:

AYES: 5

NAYS: 0

ABSENT: 0



President, Board of Trustees
Bourbonnais Fire Protection District

ATTEST:


Secretary, Board of Trustees
Bourbonnais Fire Protection District

EXHIBIT A

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

SECRETARY'S CERTIFICATE TO ELECTION AUTHORITY

TO: Kankakee County Clerk
Attn: Election Department
189 East Court St.
Kankakee, IL 60901

I, Alice Argyelan, the duly qualified and acting Secretary

of the Board of Trustees of the Bourbonnais Fire Protection District, Kankakee County, Illinois, pursuant to the provisions of the Illinois Election Code, do hereby certify the following information in connection with the public question to be submitted at the General Primary Election scheduled for June 28, 2022, to authorize the increase of the District's maximum allowable limiting rate.

I do further certify that attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. 032222

**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE BOURBONNAIS FIRE PROTECTION DISTRICT,
KANKAKEE COUNTY, ILLINOIS, PROVIDING FOR AND REQUIRING THE
SUBMISSION OF A PUBLIC QUESTION TO INCREASE THE LIMITING RATE
FOR SAID DISTRICT, TO BE SUBMITTED TO THE VOTERS OF THE DISTRICT
AT THE GENERAL PRIMARY ELECTION TO BE HELD ON JUNE 28, 2022**

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 22nd day of March, 2022, at which meeting a quorum of said Board of Trustees was present, and which Ordinance requires the submission of the following public question to the voters of the District:

Shall the limiting rate under the Property Tax Extension Limitation Law for the Bourbonnais Fire Protection District, Kankakee County, Illinois, be

increased by an additional amount equal to .3652% above the limiting rate for the purpose of fire protection and ambulance service for levy year 2020 and be equal to .8% of the equalized assessed value of the taxable property therein for levy years 2022 and 2023?

I do further certify that said Ordinance includes the form of a public question to be placed on the ballot, and required supplemental information, for the regularly scheduled General Primary Election to be held on June 28, 2022, and that said public question was initiated by the Board of Trustees of the Bourbonnais Fire Protection District, Kankakee County, Illinois, by the adoption of said Ordinance on this 22nd day of March, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said District on the 22nd day of March, 2022.

(SEAL)


Secretary, Board of Trustees
Bourbonnais Fire Protection District