

CITY OF TUSCOLA
ORDINANCE NO. 2023-O- 10

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR
PARTICIPATION IN THE MUTUAL AID BOX ALARM SYSTEM
(MABAS MASTER AGREEMENT 2022)

**ADOPTED BY THE CITY COUNCIL
OF THE
CITY OF TUSCOLA**

**Published in pamphlet form by authority of the City Council of the City of Tuscola, Douglas
County, Illinois, this 25 day of September, 2023.**

CITY OF TUSCOLA

DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2023-O- /6

September 25, 2023

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR
PARTICIPATION IN THE MUTUAL AID BOX ALARM SYSTEM
(MABAS MASTER AGREEMENT 2022)**

PREAMBLE

WHEREAS, the City of Tuscola, Douglas County, Illinois, (hereinafter the "City") is a duly established and functioning home-rule municipal corporation; and

WHEREAS, the Mutual Aid Box Alarm System (MABAS) was organized beginning in 1968 in the northwest and western suburbs of Chicago, Illinois to coordinate and automate fire department mutual aid, based roughly on the Chicago Fire Department's box alarm system of predetermined resources assigned to respond to a specific incident or area. Since 1968, MABAS has grown into a multi-state organization to coordinate responses to fires, emergency medical calls, hazardous material, technical rescue and other emergencies and disasters through prearranged mutual aid and dispatch agreements. The system is designed to facilitate all levels of mutual aid from day-to-day automatic aid responses to major incidents and disasters requiring significant deployment of resources. MABAS member Units include the gambit from all-volunteer fire departments to major cities like Chicago, Milwaukee and St. Louis; and

WHEREAS, since the last revision of the master MABAS intergovernmental agreement in about 1988, MABAS has grown exponentially to its current composition of almost 1200 Illinois Units and 2200 total Units in Illinois and several adjoining States; and

WHEREAS, it is the express intent of member Units that the MABAS Agreement be in a form which can be adopted by Units in different States where Units may lawfully enter into agreements providing for their mutual aid and protection. Thus, even if the MABAS Agreement does not specifically cite the applicable current legal authority for a particular State and its member Units, the lack of such citation shall not be construed in any manner as an impediment to or prohibition of Units from other States from joining MABAS. It is also the express intent of the member Units that all Units adopt this same Intergovernmental Agreement without modification; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves, with the State, with other States and their units of local government, and with the United States to obtain and share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or ordinance; and to further contract or otherwise associate with individuals,

associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government including units of local government from another state; and

WHEREAS, Section 5 of the “Intergovernmental Cooperation Act”, 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, the Mayor and the City Council of the City of Tuscola have determined that it is in the best interests of this unit of local government and its residents to enter into a Mutual Aid Box Alarm System Agreement to secure to each the benefits of mutual aid in fire protection, firefighting, rescue, emergency medical services and other activities for the protection of life and property from an emergency or disaster and to provide for communications procedures, training and other necessary functions to further the provision of said protection of life and property from an emergency or disaster.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TUSCOLA, DOUGLAS COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE. INCORPORATION OF RECITALS. That the recitals set forth above are incorporated here by reference.

SECTION TWO. APPROVAL OF AGREEMENT. That the Mutual Aid Box Alarm System Master Agreement, (Approved by the MABAS Executive Board October 19, 2022) is hereby approved, and the Mayor and the City Clerk be and are hereby authorized and directed to execute the Mutual Aid Box Alarm System Master Agreement, a copy of which is attached hereto as Exhibit A and made a part hereof.

SECTION THREE. SEVERABILITY. This Ordinance and every provision thereof shall be considered severable. If any section, paragraph, clause, or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Ordinance.

SECTION FOUR. EFFECTIVE DATE. The City Clerk shall cause notice to be published in a newspaper of general circulation within the County that this Ordinance has been adopted and that copies are available upon request to the City Clerk. In addition, copies of the ordinance shall be posted in the City Hall and the Community Building. The publication shall be made within fifteen (15) days of the adoption of this Ordinance. The Ordinance shall be in full force and in effect from and after its passage and approval in the manner provided by law.

Presented, Passed and Approved at a regular meeting of the Mayor and City Council of the City of Tuscola, Douglas County, Illinois, this 25th day of September, 2023.

Upon Motion by SLAUGHTER, seconded by BLACE, adopted this 25 day of SEPTEMBER, 2023 by roll call vote as follows:

AYES (Names):

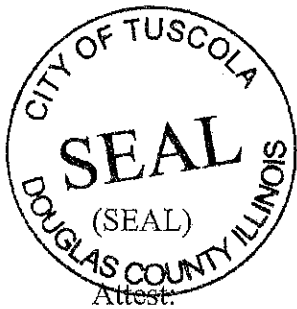
Grace Day, Hoey, Morris, Rand
Slaughter, Waldrop

NAYS (Names):

ABSENT (Names):

Shoemaker

Approved this 25 day of September, 2023.



Daniel J. Kleiss
Daniel Kleiss, Mayor

Elizabeth A. Leamon
Elizabeth A. Leamon, City Clerk

STATE OF ILLINOIS)
)
COUNTY OF DOUGLAS) ss.

CERTIFICATE

I, Elizabeth A. Leamon, certify that I am the duly elected and acting Municipal Clerk of the City of Tuscola, Douglas, County, Illinois.

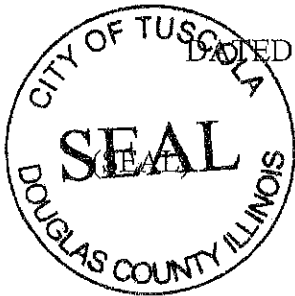
I further certify that on SEPTEMBER 25, 2023, the Corporate Authorities of the City of Tuscola passed and approved Ordinance No. 2023-O-10, entitled


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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2023-O-10, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in City Hall, 214 N. Main St., commencing on _____, 2023 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Tuscola, Illinois, this 25 day of SEPTEMBER, 2023.




Elizabeth A. Leamon, City Clerk

CERTIFICATE OF CITY CLERK

CITY OF TUSCOLA)
COUNTY OF DOUGLAS)
STATE OF ILLINOIS)

The undersigned hereby certifies that she is the duly qualified and acting City Clerk of the City of Tuscola, Illinois and as such official she further certifies that attached hereto is a true and correct copy of the document described as follows:

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The undersigned hereby further certifies that the attached document is a true and correct copy of the original which is in the files of the City of Tuscola, Douglas County, Illinois, and under the custody, control and jurisdiction of my office as City Clerk.

WITNESS my official signature and the seal of the City of Tuscola the day of the 25 of September, 2023.



Elizabeth Hemo

City Clerk