

## CHAPTER 34: POLICE DEPARTMENT

### Section

#### *General Provisions*

- 34.01 Creation
- 34.02 Personnel
- 34.03 Duties of Chief of Police
- 34.04 Absence of Chief of Police
- 34.05 Appointment of members of the department
- 34.06 Duty of members of the department
- 34.07 Records to be preserved

#### *Auxiliary Police Officers*

- 34.20 Appointment
- 34.21 Auxiliary police not to be members of regular Police Department
- 34.22 Duties of auxiliary police
- 34.23 Auxiliary police not to carry firearms
- 34.24 Training course
- 34.25 Compensation

#### *Pension Fund*

- 34.35 Establishment
- 34.36 Board of Trustees of Fund; election; meetings
- 34.37 Sources of Fund
- 34.38 Powers and duties of Board of Trustees of Fund

### **GENERAL PROVISIONS**

#### **§ 34.01 CREATION.**

There is created for the municipality a Department of Police.  
( '79 Code, § 34.01) (Ord. 671, passed 7-1-68)

### § 34.02 PERSONNEL.

The Police Department shall consist of a Chief of Police, a Deputy Chief of Administrative Services Division, a Deputy Chief of Field Operations Division, police lieutenants, police sergeants, police patrol officers, and such other personnel as may be provided for from time to time by the President and Board of Trustees.

('79 Code, § 34.02) (Ord. 671, passed 7-1-68; Am. Ord. 1487, passed 12-16-91; Am. Ord. 1897, passed 4-7-2003)

### § 34.03 DUTIES OF CHIEF OF POLICE.

The Chief of Police shall have direct charge and control over the Police Department, and shall be responsible for the faithful and efficient conduct of the operation of the department. The Police Chief shall be qualified through training and experience to administer the Police Department and command men. He/she shall be responsible for the enforcement and maintenance of law and order. He/she shall have custody of all apparatus and property pertaining to the department, and shall be responsible for the maintenance thereof. He/she need not be a member of the Police Department nor a resident of the municipality at the time of his/her appointment.

('79 Code, § 34.03) (Ord. 671, passed 7-1-68)

### § 34.04 ABSENCE OF CHIEF OF POLICE.

In the absence of the Chief of Police, a Deputy Chief, as designated by the Chief of Police, shall be the Acting Chief of Police, and shall assume all of the powers and duties of the Chief of Police, and in the event of the absence of the designated Deputy Chief of Police, the remaining Deputy Chief of Police shall assume said powers and duties of the Chief of Police, and in the event of the absence of both Deputy Chiefs of Police, the authority and command shall be as designated in the rules and regulations of the Village Police Department.

('79 Code, § 34.04) (Ord. 671, passed 7-1-68; Am. Ord. 1163, passed 11-15-82; Am. Ord. 1487, passed 12-16-91; Am. Ord. 1897, passed 4-7-2003)

### § 34.05 APPOINTMENT OF MEMBERS OF THE DEPARTMENT.

(A) The Chief of Police shall be appointed by the Village President, by and with the advice and consent of the Board of Trustees.

(B) The Chief of Police shall have the authority to appoint two deputy police chiefs:

(1) *Exempt rank.* The deputy police chief position will be an exempt rank immediately below that of the Chief of Police.

(2) *Eligibility for appointment.* The deputy chief may be appointed among any rank of sworn, full-time officers of the Village Police Department provided that he or she has at least five years of full-time service as a police officer in the Village Police Department.

(3) *Term of service.* The deputy police chief shall serve at the discretion of the Chief of Police, and, if removed from said position, shall revert to the rank held immediately prior to the appointment to the deputy police chief position.

(C) Except as provided in divisions (A) and (B) of this section, all full-time paid members of the Village Police Department shall be considered to be members of the classified service, and shall be appointed, promoted, and removed by the Board of Fire and Police Commissioners of the village, as provided by applicable Illinois Compiled Statutes.

('79 Code, § 34.05) (Ord. 671, passed 7-1-68; Am. Ord. 1487, passed 12-16-91; Am. Ord. 1897, passed 4-7-2003)

#### **§ 34.06 DUTY OF MEMBERS OF THE DEPARTMENT.**

It shall be the duty of the members of the Police Department to enforce all the ordinances of the municipality and all statutes and laws effective in the municipality, to preserve order and prevent infractions of the law and to arrest violators thereof. Every member of the Police Department is declared to be a conservator of the peace.

('79 Code, § 34.06) (Ord. 671, passed 7-1-68)

#### **§ 34.07 RECORDS TO BE PRESERVED.**

The Chief shall see that all records and original reports shall be preserved and shall be accessible to any officer of the municipality, but not all records shall be open to public inspection.

('79 Code, § 34.07) (Ord. 671, passed 7-1-68)

### ***AUXILIARY POLICE OFFICERS***

#### **§ 34.20 APPOINTMENT.**

The President of the municipality is authorized to appoint ten auxiliary police officers as employees, subject to the advice and consent of the Board of Trustees. Prior to appointment, all proposed auxiliary police officers shall be fingerprinted and their fingerprints shall be checked with the Federal Bureau of Identification, Washington, D.C., for any possible criminal record. No person shall be appointed as

an auxiliary police officers if he/she has been convicted of a felony or other crime involving moral turpitude. The appointment of any or all auxiliary police officers may be terminated by the President subject to the advice and consent of the Board of Trustees.  
( '79 Code, § 34.10) (Ord. 700, passed 4-7-69)

#### **§ 34.21 AUXILIARY POLICE NOT TO BE MEMBERS OF REGULAR POLICE DEPARTMENT.**

Auxiliary police officers shall not be members of the regular Police Department of the municipality. Auxiliary police officers need not be residents of the municipality. Identification symbols worn by such auxiliary police officers shall be different and distinct from those used by the regular Police Department, and shall be selected and chosen by the Chief of Police. Auxiliary police officers shall at all times during the performance of their duties be subject to the direction and control of the Chief of Police.  
( '79 Code, § 34.11) (Ord. 700, passed 4-7-69)

#### **§ 34.22 DUTIES OF AUXILIARY POLICE.**

Auxiliary police officers shall have the following powers and duties, when properly assigned and on duty:

- (A) To aid or direct traffic in the municipality;
- (B) To aid in the control of natural or man-made disasters;
- (C) To aid in case of civil disorders;
- (D) To perform normal and regular police duties when assigned by the Chief of Police on occasions when it is impracticable for members of the regular Police Department to perform normal and regular police duties;
- (E) To arrest or cause to be arrested, with or without process, all persons who break the peace, or are found violating any municipal ordinance or any criminal law of the state;
- (F) To commit arrested persons for examination;
- (G) If necessary, to detain arrested persons in custody overnight or Sunday in any safe place, or until they can be brought before the proper magistrate;
- (H) To exercise all other powers as conservators of the peace that the corporate authorities may prescribe;

(I) To serve and execute all warrants for the violation of municipal ordinances or the state criminal law within the limits of the municipality, and, for this purpose, to have all the common law and statutory power of sheriffs.  
( '79 Code, § 34.12) (Ord. 700, passed 4-7-69)

**§ 34.23 AUXILIARY POLICE NOT TO CARRY FIREARMS.**

Auxiliary police officers shall not carry firearms, except with the permission of the Chief of Police or, in his/her absence, of the ranking officer on duty, and then only when in uniform and in the performance of their duties.  
( '79 Code, § 34.13) (Ord. 700, passed 4-7-69)

**§ 34.24 TRAINING COURSE.**

Auxiliary police officers, prior to entering on any of their duties, shall receive a course of training in the use of weapons and other police procedures by the Chief of Police. Such course of training shall be not less than 90 hours in duration. On completion of the course of training, the Chief of Police shall file a certificate attesting to the auxiliary police officers's completion of said course with the Village Clerk.  
( '79 Code, § 34.14) (Ord. 700, passed 4-7-69)

**§ 34.25 COMPENSATION.**

Auxiliary police officers shall be paid at an hourly rate as established by the President and Board of Trustees for each hour of service performed, provided such service is performed at the direction of the Chief of Police.  
( '79 Code, § 34.15)

***PENSION FUND***

**§ 34.35 ESTABLISHMENT.**

There is established a Police Officer's Pension Fund in and for the municipality, as provided by state law.  
( '79 Code, § 34.20) (Ord. 865, passed 2-3-75)

***Statutory reference:***

*Police Officer's Pension Fund, see ILCS Ch. 40, Act 5, §§ 3-101 et seq.*

**§ 34.36 BOARD OF TRUSTEES OF FUND; ELECTION; MEETINGS.**

(A) There is created a Board of Trustees of the Police Officer's Pension Fund which shall consist of the members as provided by the applicable Illinois Compiled Statutes.

(B) The term of office of the member shall be as prescribed by the Illinois Compiled Statutes, and the election of the Trustees shall be held at those times and places as are required by law and in the manner required by law.

(C) The Board of Trustees shall be organized and shall hold meetings as provided by state law. ('79 Code, § 34.21) (Ord. 865, passed 2-3-75)

***Statutory reference:***

*Board, see ILCS Ch. 40, Act 5, §§ 3-128 et seq.*

**§ 34.37 SOURCES OF FUND.**

The Pension Funds shall consist of the taxes, accumulation, assessments, and deductions as are provided by the Illinois Compiled Statutes, and shall include an assessment or deduction of 7½%, or any larger amount permitted by law, from the salary of each police officer covered under the fund. ('79 Code, § 34.22) (Ord. 865, passed 2-3-75)

**§ 34.38 POWERS AND DUTIES OF BOARD OF TRUSTEES OF FUND.**

The Board of Trustees of the Fund shall have all the powers, duties, and obligations conferred and imposed on it by applicable state law. ('79 Code, § 34.23) (Ord. 865, passed 2-3-75)