

# ORDINANCE NUMBER 09- 11

## ORDINANCE AMENDING CHAPTER 32.07, BOARD OF FIRE AND POLICE COMMISSIONERS

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee by amending Chapter 32.07, Board of Fire and Police Commissioners.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

Section One. That Chapter 32.07, Board of Fire and Police Commissioners to be revised to now read as follows:

### **§ 32.07 BOARD OF POLICE COMMISSIONERS.**

- (A) There is hereby created a Board of Police Commissioners consisting of three members. They shall be officers of the municipality as provided by statute.
- (B) The Board of Police Commissioners shall be appointed by the President of the village, by and with the consent of the Board of Trustees. The terms of office of the members of the Board of Police Commissioners shall be three years and until their respective successors shall be appointed and qualified; provided, that no appointments shall be made by any President within 30 days before the expiration of his or her term of office; and provided further, that the President shall appoint the first members of the Board, one of whom is appointed to serve until the end of the current municipal year in which the appointment is made, another shall serve until the end of the municipal year next ending, and the third shall serve until the end of the municipal year second next ensuing; provide, that each of the first members of the Board shall serve until his or her

successor is appointed and qualified. The members of the Board shall be paid compensation as the President and Board of Trustees shall from time to time provide.

- (C) The members of the Board of Police Commissioners shall have such qualifications as are now or may hereafter be required of them by law. Each member of the Board of Police Commissioners shall take oath or affirmation of office. The members of the Board of Police Commissioners shall be subject to removal from office in the same manner as other officers of the village.
- (D)(1) The Board of Police Commissioners shall have the powers and duties as are now or as may hereafter be given to it by law.
- (2) The Board shall appoint all officers and members of the Police Department of the village, except the Chief of Police, which appointments shall be made as provided by statute.
- (3) All appointments made by the Board of Police Commissioners shall be as designated in the Rules and Regulations of the Board of Police Commissioners.
- (4) The Board of Police Commissioners shall give preference for original appointment to persons designated in ILCS Ch. 65, Act 5, Section, 10-2.1-8 and as designated in the Rules and Regulations of the Board of Police Commissioners.
- (5) The Board of Police Commissioners shall charge a fee for processing each application as may be set from time to time in the annual fee schedule.
- (E) The Board shall make rules and make appointments and removals, except those herein reserved to the President and Village Board, and shall have other and further powers as is provided by statute.
- (F) The Board may employ a secretary or may designate one of its own members to act as such. The secretary shall keep the minutes of the Board's proceedings, shall be custodian of all papers pertaining to the business of the Board, shall keep a record of all examinations held and shall perform such other duties as the Board shall prescribe.

**Section Two. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Three. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Four. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 18 day of May, 2009, pursuant to a roll call vote as follows:

AYES:

Trustee Ruffalo, Gorman, Carlini, Lynam, Cichowski, Mahony, and Pres O'Leary

NAYES:

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ABSENT:

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Approved by me this 18 day of May, 2009.

Daniel O'Leary

Dan O'Leary, Village President

Published in pamphlet form this 19 day of May, 2009, under the authority of the President and Board of Trustees.

ATTEST:

Heather Zipparro

HEATHER ZIPPARRO, Deputy Village Clerk

Recorded in the Village Records on May 19, 2009.