

## CHAPTER 9 POLICE DEPARTMENT <sup>1,2,3</sup>

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**2** 40 ILCS 5/3-101 et seq.; 65 ILCS 5/11-1-1 et seq.; 720 ILCS 5/31-8; 725 ILCS 5/107-1 et seq.; 765 ILCS 1030/1 et seq.

**3** Prior ordinance history: Ord. 64-4, 3-5-1964; Ord., 4-16-1966; Code 1969, chapters 8, 8A, and 19, article 1; Ord. 71-12, 6-24-1971; Ord. 71-22, 10-21-1971; Code 1972, §§ 6-1-1, 6-1-2, 6-1-3, 6-1-4, 6-1-5, 6-1-6, 6-1-7, 6-1-8, 6-1-9, 6-1-10, 6-1-11, 6-1-12, 6-1-13, 6-1-14, 6-1-15, 6-1-16, 6-1-17, 6-1-18, 6-1-19, 6-1-20, 6-1-21, 6-1-22, 6-1-23, 6-2-1, 6-2-2, 6-2-3, 6-2-4, 6-2-5, 6-2-6, 6-3-1, 6-3-2, 6-3-3, 6-3-4, 6-3-5, 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-3-11, 6-3-12, 6-3-13, 6-3-14, 6-9-1, 6-9-2, 6-9-3, 6-9-4, 6-9-5, 6-10-1, 6-10-2, 6-15-1; Ord. 70-5, 3-26-1970; Ord. 72-18, 7-6-1972; Ord. 74-25, 10-3-1974; Ord. 75-14, 9-4-1975; Ord. 77-40, 9-1-1977; Ord. 77-43, 9-1-1977; Ord. 79-1, 1-18-1979; Ord. 81-4, 1-15-1981; Ord. 81-16, 6-18-1981; Ord. 83-28, 8-18-1983; Ord. 85-15, 8-26-1985; Ord. 85-18, 9-23-1985; Ord. 85-26, 12-23-1985; Ord. 86-19, § 1, 6-9-1986; Ord. 87-17, 7-27-1987; Ord. 89-8, 5-8-1989; Ord. 89-13, 7-24-1989; Ord. 89-14, 7-24-1989; Ord. 90-4, § 1, 3-12-1990; Ord. 90-5, § 1, 3-12-1990; Ord. 90-8, § 1, 5-14-1990; Ord. 91-10, § 1, 6-24-1991; Ord. 91-11, § 1, 6-24-1991; Ord. 93-21, § 1, 8-9-1993; Ord. 93-22, § 1, 8-9-1993; Ord. 93-23, § 1, 8-9-1993; Ord. 93-24, § 1, 8-23-1993; Ord. 93-25, § 1, 8-23-1993; Ord. 93-26, § 1, 8-23-1993; Ord. 93-27, § 1, 8-23-1993; Ord. 93-46, § 1, 12-13-1993; Ord. 95-13, § 1, 6-26-1995; Ord. 96-21, § 1, 8-12-1996; Ord. 97-21, §§ 1, 2, 3, 4, 6-9-1997; Ord. 97-27, § 1, 8-11-1997; Ord. 99-29, §§ 1, 2, 8-23-1999; Ord. 2001-23, § 1, 5-29-2001.

## 📖 **ARTICLE I. IN GENERAL**

### 📖 **Sec. 9-1. Established; General Duties; Definition:**

(a) There is hereby established a police department for the public protection of the village. It shall be the duty of each member of such department to enforce all orders relative to the preserving of the peace, health, good order and quiet of the village, and to the prosecuting of all violations of the provisions of this code.

(b) As used in this chapter, the word "department" means the police department of the village.

(Ord. 2001-33, § 1, 9-24-2001)

### 📖 **Sec. 9-2. Personnel:**

(a) The personnel of the department may consist of one (1) chief of police; up to two (2) deputy chiefs to be appointed by the chief of police in accordance with 65 ILCS 5/10-2.1-4; up to three (3) lieutenants, up to six (6) sergeants, up to sixteen (16) patrol officers. The number of authorized full time officers in each rank shall be set from time to time by the board of trustees. In addition, part time sworn patrol officers, the number of which shall be determined by the chief of police, may be employed to supplement the full time personnel.

(b) All full time members of the department shall:

(1) Be not less than twenty-one (21) years of age except as in the board of fire and police commissioners' act otherwise provided.

(2) and applicants shall Be subject to all other provisions of the Board of Fire and Police Commissioners' Act.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2002-40, § 1, 9-9-2002; Ord. 2003-36, § 1, 9-22-2003; Ord. 2010-11, § 2, 7-12-2010)

### 📖 **Sec. 9-3. Appointments:**

(a) All full time appointments of the police department, with the exception of the chief of police and deputy chief, shall be by the board of fire and police commissioners, and shall continue in effect until terminated by death, retirement, resignation or removal by the board of fire and police commissioners in accordance with its rules and regulations. Part time sworn patrol officers shall be appointed by the board of trustees upon the recommendation of the chief of police, and may be discharged by the board of trustees upon the recommendation of the chief of police for any reason, with or without cause.

(b) There is hereby created the office of the chief of the police department of the village. Said police chief shall be considered an officer of the village, and shall be appointed by the village president, with the advice and consent of the board of trustees. The chief of police shall hold such office for a term of one year, or until his or her successor is appointed and qualified. This person need not be a resident of the village in order to be appointed to said office.

The chief of police shall have the authority to appoint members to the rank of deputy chief. with the consent of the village board. Members appointed to the rank of deputy chief may be removed at any time, with or without cause, by the police chief. with the consent of the village board. Any deputy chief so removed shall revert to the rank held immediately before being appointed as a deputy chief.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2002-40, § 2, 9-9-2002)

#### **Sec. 9-4. Compensation:**

(a) The chief of police and other members of the police department shall receive for their services amounts to be fixed in accordance with section [2-34](#) of this code by ordinance, including, but not limited to, the annual budget appropriations ordinance. Employees covered by collective bargaining agreements shall receive pay and benefits as set forth in the agreements approved by the village board. Except as specifically provided otherwise in this chapter, lieutenants shall receive the same benefits as provided to sergeants in the sergeants' collective bargaining agreement. In the event of a conflict between the sergeants' contract and lieutenants' benefits set forth in this chapter, the lieutenants shall receive the greater of the benefit provisions.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2002-40, § 3, 9-9-2002; Ord. 2004-10, § 1, 4-26-2004)

#### **Sec. 9-5. Payroll Policies And Procedures:**

(a) Full time commissioned patrol officers and radio communication officers who normally work a forty (40) hour week shall be referred to as full time personnel. Part time sworn officers who normally work less than forty (40) hours a week shall be referred to as part time sworn personnel. Part time personnel shall not be considered full time personnel by virtue of the fact that they may occasionally be called upon to work in excess of forty (40) hours per week in times of emergency or need for additional police protection.

(b) Full time sworn personnel shall normally work a forty (40) hour week consisting of eight (8) hours a day, five (5) days per calendar week. The basic schedule of hours shall be determined by the job performed.

Part time personnel shall work such shifts, times, and schedules as determined by the chief of police, or his or her designee.

(c) Department full time personnel shall be placed in day off group keys. Each respective key shall allow for two (2) regular days off per workweek.

(d) The following are on file with the village and are incorporated in this section by reference as if set out in full:

(1) An agreement between the village, and new police officer applicants.

(2) Collective bargaining agreements between the village and the labor organizations representing bargaining units of department members.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2009-15, § 41, 6-22-2009)

#### **Sec. 9-6. Residency Limits:**

As a condition of employment and continued employment, all members of the department shall be required to establish their residence within a thirty (30) minute response area of the police department, within six (6) months of successfully completing their probationary period.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-7. Holidays, Furloughs, Sick Days And Miscellaneous Benefits-Full Time/Part Time Police And Civilian Support Service Personnel:**

(a) *Full Time Police Personnel:*

(1) *Scheduled Paid Holidays:*

New Year's Day

Martin Luther King's Birthday

Lincoln's Birthday President's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Columbus Day

Thanksgiving Day

Christmas Day

Compensation for all scheduled paid holidays shall be made in the following manner:

a. *Working:* Time and one-half (1 1/2 times hourly rate of pay not to exceed 8 hours worked per such holiday). Holiday pay shall be due to all full time police personnel who had worked a full eight (8) hour scheduled work shift during a scheduled paid holiday. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so worked.

b. *ADMX (Administrative Excused Day):* Time and one-half (1 1/2 times hourly rate of pay not to exceed 8 hours per such holiday). Holiday pay shall be due to all full time police personnel who observed an RDO on the same date as a scheduled paid holiday; provided that the posted duty schedule had previously indicated that those aforesaid personnel were actually scheduled to work a complete eight (8) hour shift during that scheduled paid holiday, and that such RDO observance was directly caused by the chief of police pursuant to manpower needs of the village police department. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as an ADMX.

c. *RDO (Regular Day Off):* Straight time (8 hours at the regular rate of hourly pay). Holiday pay shall be due to all full time police personnel who had observed their RDO on the

same date of a scheduled paid holiday. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as an RDO.

d. *TD (Time Due)*: Straight time (8 hours at the regular rate of hourly pay). Holiday pay shall be due to all full time police personnel who had observed an authorized TD absence on the same date of a scheduled paid holiday. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as a TD absence.

e. *PD (Personal Day)*: Straight time (8 hours at the regular rate of hourly pay). Holiday pay shall be due to all full time personnel who had observed an authorized PD absence on the same date of a scheduled paid holiday. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as a PD.

f. *INJ (Duty Related Medical Absence)*: Straight time (8 hours at the regular rate of hourly pay). Hourly pay shall be due to all full time personnel who had observed an authorized INJ absence on the same date of a scheduled paid holiday. Such holiday pay shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as an INJ absence.

g. *V (Vacation/Furlough Day)*: Compensatory time off of eight (8) hours and straight time (4 hours at the regular rate of hourly pay). Holiday pay shall be due to all full time police personnel who have applied for and have observed an authorized V absence on the same date or the date directly prior or after a scheduled paid holiday, provided that such scheduled paid holiday was not the same as an RDO. Such holiday pay (4 straight time hours) shall be made payable upon the fifteenth day of the month directly following that scheduled paid holiday so observed as or in conjunction with a V absence.

No scheduled paid holiday compensation will be made to any full time police personnel who observe an SK (sick day) or MEX (nonduty related medical absence) on the same date as a scheduled paid holiday; nor shall any such compensation be made to any full time police personnel who observe an SK (sick day) either during the very last day they were scheduled to work immediately prior to that scheduled paid holiday or during the very first day they were scheduled to work immediately after that scheduled paid holiday.

(2) *Personal Days (PD)*: All full time police personnel shall be granted up to twenty four (24) hours of personal leave to attend to personal business which cannot be performed during nonduty hours.

(3) *Funeral Leave; Death Within Immediate Family (FL)*:

a. All full time police personnel shall be granted three (3) consecutive days off from scheduled duty with full pay for explicit use whenever there is a death of an immediate family member within his/her own family. Immediate family include the following persons. The full time police person's:

1. Mother.
2. Father.

3. Sibling.
4. Spouse.
5. Offspring, including step and adopted children.
6. Grandmother.
7. Grandfather.
8. Mother-in-law.
9. Father-in-law.

b. All full time police personnel shall, upon demand of the chief of police, submit written official documentation (a copy of the obituary or death certificate) showing and verifying the need for the use of such funeral leave days.

(4) *Vacation/Furlough Days (V):*

a. All full time police personnel shall be eligible for paid vacation/furlough time off after the completion of one year of continuous full time employment. Employees start to earn vacation time as of their date of hire. All full time patrol officers shall be granted vacation/furlough time off in the following manner.

1. Twelve (12) days per year for 1-4 years of service.
2. Eighteen (18) days per year for 5-19 years of service.
3. Eighteen (18) days plus one additional day per year for years over year fifteen (15), up to a maximum of twenty four (24) days.

b. Full time sworn personnel in rank of sergeant shall be granted vacation/furlough time off in the following manner:

1. Eighteen (18) days per year for 1-4 years' police service.
2. Twenty four (24) days per year for 5-14 years' police service.
3. Thirty (30) days per year for 15-19 years' police service.

c. Full time sworn personnel in ranks above sergeant shall be granted thirty (30) days vacation/furlough time off each year. The police chief shall receive thirty two (32) days vacation/furlough time off each year.

d. All full time support services division personnel shall be granted a vacation allowance in the following manner:

End of year 1 through end of year 4	96 hours
Start of year 5 through end of year 14	144 hours
Start of year 15 and thereafter	192 hours

e. Employees shall attempt to take their vacation during the twelve (12) month period following accrual. The employee shall be compensated for the unused vacation time at the end of the twelve (12) month period at that employee's current rate of pay not to exceed ten (10) days. However, subject to approval by the chief based on manpower needs, an employee may carry over up to ten (10) days and use vacation time for up to three (3) months following the end of the twelve (12) month period. If unused during that extended time then that employee shall be compensated for all unused vacation time.

(5) *Overtime; Nonexempt Commissioned Officers:*

a. *Work Period Established:* The village establishes a work period of twenty eight (28) consecutive days in which a one hundred sixty eight (168) hour work period shall be in full force and effect for all commissioned officers.

b. *Chief Of Police:* The twenty eight (28) consecutive day work period shall be as is from time to time established by the chief of police.

c. *Administrative Changes:* The chief of police may from time to time administratively change any individual commissioned officer's work period; provided that such change is pursuant to the manpower needs of the village police department; and, also, provided that such officer receiving such an administrative work period change has been given, aside from emergency situations which may arise, forty eight (48) hours' notice before such change is implemented.

d. *Hours At Regular Rate:* All authorized hours worked by a commissioned patrol officer during a single twenty eight (28) consecutive day work period which do not exceed a total of one hundred sixty eight (168) hours worked shall be compensated at the officer's regular rate of hourly pay.

e. *Hours At Time And A Half:* All authorized hours worked by a commissioned officer during a single twenty eight (28) consecutive day work period which exceed one hundred sixty eight (160) hours worked shall be compensated at one and one-half (1 1/2) times that officer's regular rate of hourly pay.

f. *Overtime Compensation For Sergeants:* A sergeant will receive overtime compensation for all hours worked in excess of one hundred sixty (160) hours when the sergeant is scheduled to work between one hundred forty four (144) and one hundred fifty two (152) hours in a twenty eight (28) day period. A sergeant will receive overtime compensation for all hours worked in excess of one hundred sixty eight (168) hours when that sergeant is scheduled to work one hundred sixty (160) hours in a twenty eight (28) day period.

g. *Sick Days, Medical Absences:* Sick days (SK) and/or nonduty related medical absence days (MEX) appropriately observed by a commissioned officer during a twenty eight (28) consecutive day work period will not be counted as authorized hours worked by that officer for that twenty eight (28) day period and, therefore, shall not be used in computing hours worked toward overtime hours for that officer during that twenty eight (28) day work period.

h. *Payment Of Compensation:* All monetary compensation of overtime pay shall be made payable upon the fifteenth day of the month which directly follows the last day of the twenty eight (28) consecutive day period in which it was earned. If the aforesaid fifteenth day of the month is less than five (5) workdays from the aforesaid last day of the twenty eight (28) day work period, then such compensation shall be made payable on the very next fifteenth day of the very next following month.

i. *Compensatory Time:* Accrual and use of compensatory time (time due) (TD) absence may be used by commissioned officers in lieu of monetary compensation of overtime pay. All such time due (TD) absence hours used shall have the same value as they were earned. (Example: An hour earned at 1 1/2 times an officer's regular rate of hourly pay shall allow that officer 1 1/2 hours absence due to time due (TD)). All officers who desire to make use of earned time due (TD) shall make proper application for such use in accordance with the current rules/regulations of the village police department. All such time due (TD) absence from work shall be observed either during the twenty eight (28) consecutive day work period in which it was earned or, if so approved by the chief of police, the very next twenty eight (28) consecutive day work period following the twenty eight (28) consecutive day work period in which it (the TD) was earned. Commissioned officers may accumulate up to a maximum of forty (40) hours of compensatory time.

j. *Scheduling Time Due:* The chief of police, may, from time to time, pursuant to budgetary and scheduling restraints, schedule the time due (TD) or other accrued paid time off absence of commissioned officers in an effort to appropriately manage the level of monetary compensation for overtime and time off schedules throughout the police department.

k. *Court Time:* An officer who is required by the village police department to be in court while off duty, shall be compensated for his/her regular rate of pay for hours spent on court time with a minimum of three (3) hours' pay.

Actual time spent in court will be counted toward the accumulation of hours for the purpose of determining time and one-half (1 1/2) overtime payments.

l. *Call Back:* A "call back" is defined as an official assignment of work which does not immediately follow or precede the officer's regular scheduled working hours. "Call back" does not include scheduled meetings, range practice, training programs, court appearances or similar events. All officers on call back status shall be compensated. at their regular rate of pay, with a minimum of two (2) hours' pay. Actual time spent on call back will be counted toward the accumulation of hours for the purpose of paying overtime at the rate of time and one-half (1 1/2).

(6) *Overtime; Civilian Support Service Personnel:*

a. The village establishes a work period of seven (7) 24-hour periods in which a forty (40) hour work period shall be in full force and effect for all civilian support service personnel.

b. The seven (7) consecutive twenty four (24) hour work period shall be as is from time to time established by the chief of police pursuant to the current duty schedule for civilian support service personnel.

c. The chief of police may from time to time administratively change any civilian support service person's work period; provided that such change is pursuant to the manpower needs of

the village police department; and, also, provided that such civilian support service person receiving such a work period change has been given, aside from any emergency situations which may arise, forty eight (48) hours notice before such change is implemented.

d. All authorized hours worked by a civilian support service person which exceed the forty (40) hour work period shall be compensated at one and one-half (1 1/2) times that civilian support service person's regular rate of hourly pay.

e. All monetary overtime compensation pay shall be made payable upon the fifteenth day of the month directly following the last day of the month in which such compensation pay was earned. If the aforesaid fifteenth day of the month is less than five (5) workdays from the aforesaid last day of the twenty eight (28) day work period, then such compensation shall be made payable on the very next fifteenth day of the very next following month.

f. Time due (TD) absence may be used by a civilian support service person in lieu of monetary compensation pay. All such time due (TD) absence hours used shall have the same value as they were earned. (Example: An hour earned 1 1/2 times that civilian support service person's regular rate of hourly pay shall allow that person 1 1/2 work hours absence due to time due (TD).) All civilian support service personnel who desire to make use of earned time due (TD) shall make proper application for such in accordance to the current rules and regulations of the village police department. All such time due (TD) absence from work shall be observed either during the calendar month in which it was earned or, if so approved by the chief of police, the very next calendar month directly following the calendar month in which it (the TD) was earned.

g. The chief of police may, from time to time pursuant to budgetary and scheduling restraints, schedule the time due (TD) or other accrued paid time off absence of civilian support service personnel in an effort to appropriately manage the level of monetary overtime compensation and time off schedules throughout the village police department.

(7) *Sick Days (SK) (Noncumulative):*

a. Nonprobationary full time sworn officers below rank of sergeant shall earn sick leave at the rate of four (4) hours for each complete month of service.

b. Full time sworn officers in rank of sergeant and above:

Effective January 1, 1995, patrolmen who have achieved the rank of sergeant shall have their hourly rate increased by using the following formula:

Base hourly rate multiplied by forty eight (48) divided by two thousand eighty (2,080) in lieu of noncumulative sick days, formerly referred to as SK. Therefore, any sergeant calling in sick will receive no sick time compensation of any kind for said time off from work.

c. Nonprobationary support services division employees shall earn sick leave at the rate of five (5) hours for each complete month of service.

d. Any authorized sick time granted to any employee shall be paid at the employee's regular rate of hourly pay.

e. No employee shall be granted any authorized sick time unless he has appropriately applied for authorized sick time use in accordance with the rules and regulations of the village police department.

f. Any employee who observes twenty four (24) or more consecutive hours of authorized sick time within one occurrence shall have a doctor's release before returning to any duty. Such release shall be from a licensed medical doctor stating the cause for authorized sick time so observed, and, also, stating that such cause no longer exists, thus enabling that person to return to their respective duties. The aforesaid release shall be written upon the doctor's letterhead and shall be promptly submitted to the chief of police or his designee.

g. Employees observing any authorized sick time shall not participate or in any manner engage in any activity or situation other than those which are directly conducive to the healing process of that physical illness or injury causing that person to currently observe authorized sick time. Activities or situations which are directly conducive to the healing process are those which are either prescribed for that person by a licensed medical doctor or are those which are generally accepted by the licensed medical profession as home remedies for that person's current physical illness or injury.

h. No sick time compensation pay will be made to any employee who does not completely adhere to all laws and/or village police department rules and regulations which govern authorized sick time.

(8) *Nonduty Related Medical Absence (MEX) (Noncumulative):*

a. Forty five (45) 8-hour workdays of nonduty related medical absence time per twelve (12) month period per each full time police person shall be granted to those persons who are unable to report for any authorized duty for more than forty (40) consecutive work hours due to any nonduty related physical illness or injury to that person; provided that any such serious physical illness or injury has been properly diagnosed by a licensed medical doctor as that which medically disables that person thus preventing that person from being able to perform their respective duties ; and, also, provided that such diagnosis is concurred with by the current village doctor.

b. The twelve (12) month period governing this nonduty related medical absence time shall commence with the first use of such leave in a twelve (12) month period and terminate twelve (12) months later for each current full time police person until otherwise specified by law.

c. Any authorized nonduty related medical absence time granted to any full time police personnel shall be paid in full at the regular rate of hourly pay of that person who was granted and, therefore, observing any such authorized nonduty related medical absence.

d. No Full time police personnel shall be granted any authorized nonduty related medical absence time prior to being properly examined by the aforesaid village doctor who must verify the need for such nonduty related medical absence. Upon such verification, Nonduty related medical absence compensation pay will be appropriately made retroactive to the date that the examined person initially had applied for such nonduty related medical absence pay with any and all authorized sick time being restored to that person if such authorized sick time was properly observed while awaiting the authorization of the nonduty related medical absence time.

e. No full time police personnel shall be granted any authorized nonduty related medical absence time unless those persons have appropriately applied for authorized nonduty related medical absence time use in accordance with all appropriate governing laws and rules and regulations of the village police department.

f. All full time police personnel who observe authorized nonduty related medical absence time shall have a doctor's release before returning to any duty; such release shall be obtained and submitted in the same manner prescribed for a doctor's release regarding full time police personnel observing twenty four (24) or more consecutive hours of authorized sick time. Upon obtaining the aforesaid release and before returning to any duty, that person shall be properly examined by the aforesaid village doctor who must verify in writing the aforesaid release. Such written verification along with the aforesaid release shall then be appropriately submitted by that person to the chief of police or his designee.

g. All full time police personnel who are currently observing any authorized nonduty related medical absence time shall not participate or in any manner engage in any activity or situation other than those which are directly conducive to the healing process of that physical illness or injury causing that person to currently observe nonduty related medical absence. Activities or situations which are directly conducive to the aforesaid healing process are those which are either prescribed for that person by a licensed medical doctor or are those which are generally accepted by the licensed medical profession as home remedies for that person's current physical illness or injury.

h. All full time police personnel who are currently observing any authorized nonduty related medical absence time shall always promptly make themselves available to the village doctor and/or the chief of police or his designee.

i. Full time police personnel observing any authorized nonduty related medical absence shall apply for any disability benefits from any insurance policy provided for by the village. Any such disability insurance benefits shall be paid over to the village as a condition to receiving nonduty related medical absence compensation from the village.

j. No nonduty related medical absence compensation pay will be made to any full time police personnel who do not completely adhere to all laws and/or village police department rules and regulations which govern authorized nonduty related medical absences.

(9) *Leaves Of Absence:*

a. No full time police personnel shall in any manner work or seek other employment if granted a leave of absence by the village board of trustees unless such leave of absence is a military leave of absence granted by the board of fire and police commissioners of and for the village; whereupon, that person granted such a military leave of absence shall be allowed to work only for the armed forces of the United States of America.

b. If any such leave of absence is granted (not including the aforesaid military leave), the full time police personnel taking such leave shall automatically forfeit all salary and benefits pertaining to a current full time police personnel of the village police department for the duration of that leave of absence.

c. Upon the return of a full time police person from an authorized leave of absence (not including the aforesaid military leave), that person shall resume receiving all salary and benefits pertaining to a current full time police person of the village police department but shall not receive any seniority credit consideration for that time the person had observed his leave of absence. The actual date of return from a leave of absence (not including the aforesaid military leave) shall be the new seniority and anniversary date of the village police department employment/service of that returning person.

(10) *Uniform/Equipment Allowance:*

a. The village shall pay to each employee a monthly uniform allowance for the purpose of providing needed police dress and police related items of uniform/equipment for all full time police personnel. Sworn personnel shall receive fifty five dollars (\$55.00) per month and support services division personnel shall receive forty dollars (\$40.00) per month. This payment shall not be considered wages and will be included in the second pay period of each month as reimbursement for uniforms and equipment expenses.

(11) *Survivor's Benefit:* If a full time sworn member dies during the lawful performance of duty for the village the designated beneficiary of that employee shall receive the sum of the employee's salary in effect at the time of the incident causing the death as a survivor's benefit. Said sum will be reduced by any life insurance policy currently in effect for village employees, and will be payable in twenty four (24) equal installments over one year's time on regular village payroll dates. This benefit is in addition to any other state or federal line of duty death benefits to which law enforcement officers are entitled.

(12) *Extension Of Health Insurance:* If any full time sworn member retires at the age of fifty (50) years or older, and has completed at least twenty (20) years' service on the police force of the village, he/she shall have fifty percent (50%) of the premium for single HMO medical insurance coverage paid by the village until the employee receives medicare coverage or age sixty five (65), whichever comes first. The village agrees that should any retired member desire dependent coverage, that employee shall be allowed to purchase said medical insurance coverage and the retired member shall be responsible to pay the difference between the premium for his/her single insurance and that premium in effect for dependent coverage. If a retired member during retirement receives a gross income of thirty thousand dollars (\$30,000.00) over and above any pension benefits, the aforesaid fifty percent (50%) paid medical insurance coverage by the village shall be terminated. The village retains the right to require verification of income of retired members receiving this benefit. Any retired member who fails to timely and fully respond to the village's income verification request shall forfeit the right to receive medical insurance coverage contributions from the village.

Full time officers in ranks above sergeant who retire after age fifty (50) with at least twenty (20) years of full time service shall receive one hundred percent (100%) of single HMO medical insurance coverage and fifty percent (50%) of HMO dependent coverage pursuant to the village's selected plan paid for by the village until the employee receives medicare coverage or reaches age sixty five (65), whichever comes first. Such retired employee's benefit shall be terminated if he earns more than thirty five thousand dollars (\$35,000.00) of gross income over and above any pension benefits received by the retired employee, or if the retired employee has available to

him/her medical insurance from any other source. Income verification shall be the same as for employees in the ranks of sergeant and below.

(b) *Part Time Police Officers And Part Time Police Personnel:*

(1) *Salaries:* Salaries and hourly rates of pay for part time employees shall be set by the board of trustees from time to time.

(2) *Uniform/Equipment Allowance:* The monetary equivalent of two hundred dollars (\$200.00) per year per each part time police person to be used in accordance with the same provisions governing the use of the uniform/equipment allowance granted to full time police personnel.

(3) *Other Benefits:* Part time police personnel shall not be entitled to:

- a. Scheduled paid holiday compensation of any form.
- b. Personal days of any form.
- c. Vacation/furlough days of any form.
- d. Sick day (time) compensation of any form.
- e. Nonduty related medical absence compensation of any form.

f. Paid health/disability/life insurance compensation of any form (not including workers' compensation pursuant to law).

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2002-40, § 4, 9-9-2002)

 **Sec. 9-8. Support Services Division:**

(a) The village deems it in the best interests of the citizens of Justice to establish the division of support services of the police department.

(b) All members of the support services division shall be civilian employees. hired by board of trustees upon the recommendation of the chief of police. Unless otherwise specified within this particular section, all members of the support services division shall be full time employees of the village's police department.

(c) All members of the support services division shall be subordinate to the directions of the chief of police or his designee.

(d) The support services division may consist of the following civilian members:

(1) *Division Sergeant:* One full time division sergeant whose duties shall include, but not be limited to, the supervision of all division members assigned to telecommunication, community service, animal control, school crossing, clerical and matron duties. The division sergeant shall not be subordinate to any other support services division members.

(2) *Division Corporals:* Not more than three (3) full time division corporals whose duties shall include, but not be limited to, the supervision of all division members assigned to telecommunication, community service, animal control, school crossing, clerical and matron

duties whenever the division sergeant is off duty or otherwise unable to provide such supervision. Aside from the division sergeant and division corporals having more village employment seniority, a division corporal shall not be subordinate to any other support services division member.

(3) *Division Telecommunication Officers:* Not more than three (3) full time division telecommunication officers whose duties shall include, but not be limited to, telecommunication, communication, community service, clerical and (for female members) matron duties. Division telecommunication officers are subordinate to the division sergeant and corporals.

(4) *Part Time Civilian Employees:* The division members specifically employed to perform community service, animal warden, school crossing, clerical and matron duties shall be kept at a number which is from time to time deemed appropriate by the village president and board of trustees. All such division members shall be considered as part time civilian employees of the police department subject to the same hiring practices, rules and regulations governing all full time division members.

(5) *Police Matrons:*

a. Police matrons shall have charge of all female prisoners and may, with the approval of the commanding officer, assign to separate cells or dormitories first offenders and those whom they believe are worthy of separation from persons who are frequent offenders or disturbers. They shall investigate the case of arrest of all female prisoners.

b. Police matrons shall keep a record of the female prisoners.

c. Police matrons shall accompany female prisoners to and from the police station and the courts, and shall remain with such prisoners during the trial.

d. Police matrons and police officers assigned to desk duty shall wear their uniform and shall remain at the desk during their hours of duty. They shall personally attend to all police business to be transacted at the police desk and shall see that all police business is given prompt attention. They shall familiarize themselves with the state laws and village code provisions.

e. Police matrons shall make the proper entries in all books, records and reports required to be kept by the orders, rules and regulations of the department. Such records and reports shall be neatly and legibly kept, indexed and promptly filed by the police matrons in such manner as to make them readily obtainable when necessary.

f. The police matrons, at the conclusion of their hours of duty, shall outline for their replacement the location of crime during their hours of duty. The police matrons shall enter all complaints received by them which require the attention of a police officer.

g. The police matrons shall at all times have full knowledge of all arrests made. They shall be responsible for all persons held, whether booked or not. They shall be responsible for the safekeeping, care and comfort of prisoners in custody.

h. The police matrons shall take charge of and be responsible for the safekeeping of all property turned over to them by police officers, as well as property taken from prisoners.

i. The police matrons shall have supervision of all telephone communications. Calls shall be promptly answered and communications transmitted without delay. When answering telephone calls, the name of the police matron or police officer shall be stated.

j. The police matrons shall receive and record all complaints and reports submitted to them by police officers. Citizens making a complaint shall be treated in a courteous and civil manner. Complaints shall be given to the proper police officers for investigation as quickly as possible, after the receipt of same, and a record made in the books of the department provided for that purpose.

k. The police matrons shall not permit persons to solicit business or loiter in or about the police station.

l. Absence from duty shall be posted daily on the police matron's pull sheet, noting the period of time any police officer was absent from duty.

(e) All newly hired support services division members must be able to display a satisfactory ability to perform all of their duties prior to the end of their probationary period, which shall be the first twenty four (24) months of their employment. The inability to so perform is cause for that division member's immediate dismissal by the chief of police, without further cause.

(f) All support services division members shall be uniformed as determined by the chief of police. The uniform will be distinct from that of a police officer of the police department. No weapons will be issued to, carried or worn by any support services division member.

(g) The promotion of support services division members shall be made by the chief of police by and with the consent of the village president and board of trustees based upon employee merit and efficiency.

(h) The chief of police may suspend a support services division member for a period not to exceed five (5) days. The suspended support services division member may request an appeal hearing of that suspension. That appeal must be filed in writing with the chairperson of the police and fire committee of the village board of trustees within five (5) calendar days from the date that suspension was issued by the chief of police.

(i) The chief of police cannot suspend in excess of five (5) days, demote or dismiss any support services division member without first officially filing written charges to be heard and adjudicated by the chairperson and members of the police and fire committee of the village board of trustees.

(j) The chairperson and members of the police and fire committee of the village board of trustees shall conduct all appeal, suspension, demotion and dismissal hearings for the purpose of sustaining, varying or vacating the actions taken by the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-9. Police Pension Fund:**

There is hereby established a police pension fund in and for the members of the department in accordance with the provisions of 40 Illinois Compiled Statutes 5/3-101 to 5/3-149 of the Illinois pension code, as amended.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-10-9-15. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

## 📖 **ARTICLE II. REGULATIONS**

### 📖 **DIVISION 1. GENERALLY**

#### 📖 **Sec. 9-16. Definitions:**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commanding Officer:* The person in charge of the department when assigned as such.

*Member:* Any police officer or employee of the police department or member of the department.

*Officer:* A member of the police department above the rank of patrolman.

*Police Officers:* All persons who are members of the police department, regardless of rank.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-17-9-24. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

### 📖 **DIVISION 2. CHIEF OF POLICE**

#### 📖 **Sec. 9-25. Appointment:**

The chief of police shall be appointed by the president with the advice and consent of the village board. He shall, in accordance with the rules and regulations of the board of fire and police commissioners, and the provisions of this code, supervise the work of the police department, its officers, and its members. He shall have charge of the police station, equipment, books, records and all other property of the department. He shall have the right and the power to create duty assignments for administrative purposes only, and not to constitute a separate rank, to assist him in the performance of his duties.

(Ord. 2001-33, § 1, 9-24-2001)

#### 📖 **Sec. 9-26. Duty To Enforce Laws:**

The chief of police shall enforce all the laws of the state and the village.

(Ord. 2001-33, § 1, 9-24-2001)

**Sec. 9-27. General Duties Of Chief:**

All members of the department shall be directly under the chief of police, and shall aid and assist the chief of police in his functions as he may direct. The chief of police shall be the keeper of the village jail, and shall have custody of all persons incarcerated therein. He shall keep such records and make such reports as concerning the activities of his department as may be required by statute or by the village board. The chief shall be responsible for the performance by the department of all its functions. He shall conduct investigations of all accidents wherever the village may become liable. The chief of police shall arrange for and carry out a regular police school of planned and approved police courses for the police., such program to be with the approval of the board. The chief of police may, from time to time, as he deems fit and necessary for the smooth operation of the police department, and for such duration as he deems appropriate, designate certain officers to assist him in the command of the police department.

(Ord. 2001-33, § 1, 9-24-2001)

**Sec. 9-28. Juvenile Officer Assignments By Chief:**

The chief of police shall have the right to assign any regular full time member of the department to the duties of that of juvenile officer, and another such regular member of the department to the duties of assistant juvenile officer of the department. This assignment shall not constitute the creation of an office but shall merely be constituted a duty assignment.

(Ord. 2001-33, § 1, 9-24-2001)

**Sec. 9-29. Chief To Cooperate With Health Officials:**

All orders of the board of health or health officer relating to the preservation of the health of the village and directed to the police department shall be executed by the chief of police or by subordinates, if the chief so directs.

(Ord. 2001-33, § 1, 9-24-2001)

**Sec. 9-30. Rules And Regulations:**

The chief of police may prescribe and establish such rules and regulations as he may deem necessary; provided, however, that all such rules and regulations must be in accord with the rules and regulations of the village and its board of fire and police commissioners, and a copy of such rules and regulations should be sent to that board at the time of issuance of same.

(Ord. 2001-33, § 1, 9-24-2001)

**Sec. 9-31. Absence; Disability:**

In case of the absence of the chief of police from the village or his or her inability to act, then such person as shall be named acting chief of police shall have and be permitted, in such case, to exercise the powers and duties of the chief of police as contained in this chapter.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-32. Discharge Of Probationers:**

Probationary commissioned officers in the department may be discharged by the chief of police at any time during their probationary period, which shall be twenty four (24) months from the date of appointment. The chief of police shall make monthly reports on probationers to the board of fire and police commissioners.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2008-17, § 1, 4-14-2008)

**📖 Sec. 9-33. Annual Report:**

The chief of police shall file an annual report with the board of fire and police commissioners, and furnish a copy to the board of trustees, not later than the second meeting of the board of trustees in the month of May of each year.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-34-9-40. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

**📖 DIVISION 3. COMMANDING OFFICERS**

**📖 Sec. 9-41. Deputy Chief:**

(a) *Creation Of Position:* There is hereby created the rank of deputy chief. The chief of police shall have the authority to appoint members to the rank of deputy chief with the consent of the village board. Upon receiving the village board's authorization to appoint a commissioned officer to the rank of deputy chief, the commission shall promote an officer to the position. The deputy chief shall assist the chief in the performance of his or her duties. The deputy chief shall be the senior commanding officer in the absence of the chief of police.

(b) *Compensation And Duties:*

(1) The deputy chief's salary shall be set in accordance with section [2-34](#) of this code. This position is exempt from overtime payment.

(2) The deputy chief shall be second in command within the Justice police department, he or she shall be in command of all police activities while he or she is on duty, subject only to the orders of the chief of police, and shall have such authority and perform such duties as prescribed by the chief of police.

(3) The deputy chief shall be required to direct, pursuant to lawful authority, the work of all police department employees, and require the satisfactory overall work performance of the department subject to the orders of the chief of police.

(4) The deputy chief shall use all best professional efforts in meeting the problems, training, appraising effectiveness of police techniques used and interpreting departmental policies, procedures and rules as laid down by the chief of police.

(5) The deputy chief shall, from time to time, receive special instructions from the chief of police in unusual situations, whereupon the work subsequent to those instructions will be reviewed through observation and evaluation of reports made to the chief of police.

(6) The deputy chief shall strive to create and maintain high morale among the members of the police department, and constantly evaluate the quality of supervision provided by subordinate police department supervisors.

(7) The deputy chief shall maintain friendly relationships between this police department and other police departments, the press, other village departments and the public.

(8) The deputy chief shall make personal inspections of all areas of the police facility and municipal jail at irregular intervals as frequently as may be necessary to keep thoroughly informed of the conditions thereof and therein. He or she shall be held responsible for the cleanliness and sanitary conditions of the police station.

(9) The deputy chief shall determine if all subordinate employees are efficiently performing their duties, and shall take suitable action to correct any violation of departmental orders, or dereliction of duty that is discovered or observed.

(10) The deputy chief shall note all noncompliance with the laws and ordinances, and all other matters requiring the attention of the police department. He or she shall be held strictly accountable for the enforcement of all laws, ordinances, police rules and regulations.

(11) The deputy chief shall be held responsible for the proper keeping of all books and records of the police department. He or she shall promptly forward all reports to the chief of police when requested to do so. He or she shall, from time to time, personally inspect such books and records to familiarize himself or herself with the contents thereof. He or she shall supervise and review the reports of subordinates and return them to the appropriate officer if there are any mistakes or omissions found.

(12) The deputy chief shall maintain a strict and constant survey of all subordinate police department members serving a probationary period with a view toward ascertaining their fitness for the respective positions they occupy, and shall report periodically, in writing, to the chief of police on the progress of those probationary members.

(13) The deputy chief shall remain aware of, and be present at if necessary, major crimes and/or unusual occurrences and their respective scenes, and shall assist and instruct the police department members in the proper methods of handling those assignments. The deputy chief shall cause all prisoners to be promptly conveyed to the court in which they are to be tried.

(14) The deputy chief shall, when practical, patrol the village and interview frequently and at regular intervals each subordinate department member and observe the manner in which each officer performs their duties and shall give instructions on the proper and most effective methods of performing such.

(15) The deputy chief shall investigate any delinquent morale, or any laxity in performance of duty, or in the observance of departmental orders on the part of subordinate department members, and after determining the facts, shall report, in writing, all findings and the subsequent action taken or further recommendation for action to the chief of police.

(16) The deputy chief shall obey all general orders, rules and regulations, policies and procedures and orders of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-42. Commanders:**

(Rep. by Ord. 2002-40, 9-9-2002)

**📖 Sec. 9-43. Lieutenant-Creation And Duties:**

*(a) Police Lieutenant-Patrol Operations:*

(1) Shall be in command over the department's patrol division, being subordinate only to the lawful orders of superior department authority with the police chief being the ultimate authority throughout the department. Furthermore, shall assume the duties and responsibilities of deputy chief whenever so ordered by the police chief.

(2) Shall regularly provide an effective and efficient direct line of management over the department's patrol division, and shall require nothing less than a satisfactory work performance from each subordinate division member pursuant to all current department policies, procedures, rules, regulations, directives and lawful orders from superior department authority.

(3) Shall be responsible for the regular planning, posting and maintenance of the monthly patrol division duty schedule in an effective, efficient, timely and lawful manner. Furthermore, shall authorize temporary shift changes and/or time off whenever necessary to properly conduct the division's business.

(4) Shall utilize all best professional efforts toward identifying the training needs of the patrol division. Furthermore, shall file a timely written report to the police lieutenant of support operations citing those needs, and making recommendations towards meeting those needs.

(5) Shall perform personal inspections of all work areas of, and general equipment utilized by the patrol division at regular intervals in order to identify all deficiencies that are not conducive to a proper and safe work environment. Furthermore, shall file a timely written report to the police lieutenant of administrative operations citing those deficiencies and recommending corrective measures. In any event, the police lieutenant of patrol operations shall make immediate corrective measures in order to properly remedy any deficiency that poses an imminent threat of death or great bodily harm to human life, or to any deficiency that stands to violate any person's constitutional rights.

(6) Shall strive to create and maintain a high level of esprit de corps throughout the patrol division by regularly performing personal inspections of, and hosting group and individual meetings with all subordinate patrol division members. Furthermore, shall provide a timely response to deficiencies by initiating or recommending to the deputy chief the initiation of appropriate corrective measures without any unnecessary delay. The pertinent facts and responsive corrective measures taken or recommended will be immediately reported in writing to the deputy chief.

(7) Shall perform a proper and timely inquiry into any subordinate's laxity in the performance of patrol division duties, or minor infraction to the current department policies, procedures, rules, regulations, directives and orders from superior department authority. Furthermore, shall provide a timely response by initiating or recommending the initiation of proper corrective measures. The pertinent facts and responsive corrective measures taken or recommended will be immediately reported in writing to the deputy chief.

(8) Shall regularly review all current department policies, procedures, rules, regulations, directives and orders from superior department authority that are pertinent to the patrol division in order to maintain a lawful, sound and contemporary path of command direction within that division. Furthermore, shall immediately report in writing to the deputy chief any deficiencies or possible deficiencies that may exist thereof, and shall include any recommended changes.

(9) Shall personally conduct integrity audits at regular intervals of all department forms, documents and reports compiled by subordinate patrol division members, and return them to the appropriate patrol division supervisor for further corrective action if and when there are any mistakes or omissions found therein.

(10) Shall remain aware of all trends of illegal activity and unusual occurrences within the village, and shall appropriately coordinate all responsive patrol services that will remedy and/or prevent those activities or occurrences. Furthermore, shall keep the deputy chief current with all major crime trends and of the responsive patrol service so ordered.

(11) Shall personally patrol the village at irregular intervals in order to perform integrity audits of the manner in which each subordinate patrol division member performs their duties. Furthermore, shall give direction as to the proper and most effective and efficient methods of performing supervisory or nonsupervisory patrol duties whenever necessary.

(12) Shall personally assist the deputy chief in the conduct of any lawfully ordered internal investigation into any allegation of serious misconduct filed against any subordinate member of the patrol division.

(13) Shall personally assist the deputy chief toward maintaining a friendly and cooperative relationship between the patrol division and the general public by being the first to personally hear citizen complaints and/or inquiries pertinent to the operations and obligations of the patrol division. Furthermore, shall provide a timely response by initiating patrol services or recommending the initiation of other police services and/or other corrective measures without any unnecessary delay. The pertinent facts and the responding actions taken or recommended will be immediately reported in writing to the deputy chief.

(14) Shall personally assist the deputy chief in professionally recruiting, examining and recommending the employment of persons qualified for the position of part time patrol officer of and for the department's patrol division.

(15) Shall require that sound judgment is routinely used toward determining as to whether or not the authorization of overtime is absolutely necessary in order to maintain the good conduct of the patrol division's business.

(16) Shall personally assist the deputy chief in the timely preparation of the patrol division's segment of the department's annual budget proposal. Furthermore, shall strive to keep

the operating expenditures of the patrol division within the parameters of the current budget, and shall require that all such expenditures are necessary toward maintaining adequate patrol division services.

(17) Shall obey all department policies, procedures, rules, regulations, directives and orders from superior department authority, and shall appropriately perform any and all other duties as may from time to time be lawfully ordered by superior department authority.

(b) *Police Lieutenant-Administrative Operations:*

(1) Shall be in command over the department's facilities, logistics, research and development, supplies and equipment and the department's routine business with criminal or civil hearings, (henceforth, collectively referred to as administrative operations). Shall be subordinate only to the lawful orders of superior department authority with the police chief being the ultimate authority throughout the department. Furthermore, shall assume the duties and responsibilities of the deputy chief whenever so ordered by the police chief.

(2) Shall regularly provide an effective and efficient direct line of management over the department's patrol division, and shall require nothing less than a satisfactory work performance from each subordinate division member pursuant to all current department policies, procedures, rules, regulations, directives and lawful orders from superior department authority.

(3) Shall utilize all best efforts toward identifying the training needs necessary to ensure the correct performance of the department's administrative operations. Furthermore, shall file a timely written report to the police lieutenant of support operations citing those needs, and making recommendations towards meeting those needs.

(4) Shall perform a proper and timely inquiry into any subordinate's laxity in the performance of patrol division duties, or minor infraction to the current department policies, procedures, rules, regulations, directives and orders from superior department authority. Furthermore, shall provide a timely response by initiating or recommending the initiation of proper corrective measures. The pertinent facts and responsive corrective measures taken or recommended will be immediately reported in writing to the deputy chief.

(5) Shall personally assist the deputy chief in the conduct of any lawfully ordered internal investigation into any allegation of serious misconduct filed against any subordinate member of the department.

(6) Shall be responsible for planning all local court key and MSI assignments within the department, and shall personally act as the department's liaison and authority during and at the site of all local court and MSI hearings. Shall ensure that all preparations, briefings and debriefings for local court and MSI hearings are properly conducted, and shall require the professional department of all department members in attendance. Furthermore, shall maintain the integrity and safekeeping of all pertinent department forms, documents, reports and evidence while on route to, while at and while on route back from the local court or the MSI hearing.

(7) Shall be responsible for the timely posting of all court subpoena information which will be made in writing upon the department's court calendar. Shall personally make a timely additional notification to the department member under subpoena by informing them in writing of such. Furthermore, shall be responsible for ensuring that the department remains compliant

with any subpoena requiring that any forms, documents, reports or evidence of the department be brought before the court or its designated officer(s).

(8) Shall ensure that the department is kept current with the procedures of the local court, the county clerk of the local court and the county sheriff's offices at the local court facilities.

(9) Shall regularly search for and remain familiar with the availability of all grants for which the department may be eligible, and shall keep the deputy chief and the police chief current about such. Furthermore, subsequent to an order from the police chief, shall appropriately compile and submit grant applications on behalf of the department.

(10) Shall personally conduct regular audits of the department's logistics for the purpose of researching, developing and recommending to the deputy chief methods of personnel, training or equipment development, deployment and/or acquisition that will keep the operations of the department effective, efficient, sound, contemporary and lawful.

(11) Shall be responsible for developing and properly managing the stockpiling, disbursement, filing, archiving, security and destruction process of all current department forms, documents and reports. Furthermore, shall ensure that the current inventory of all such forms, documents and reports is kept compliant with all applicable laws, and shall immediately report to the deputy chief in writing whenever that compliant status is or may be deficient.

(12) Shall be responsible for properly procuring, stockpiling and disbursing all office supplies and all other items of police related equipment that are necessary for the department to function adequately. Furthermore, shall personally perform random audits into the use of those supplies and equipment in order to ensure that their use remains official and correct at all times.

(13) Shall be responsible for developing and maintaining a scheduled plan of preventive maintenance for all department equipment, and shall ensure that all defective equipment is properly repaired or replaced in a timely and cost efficient manner.

(14) Shall be responsible for compiling and maintaining an inventory log for all department property and equipment, and for compiling and maintaining an assignment log that indicates to whom the property or equipment was issued and where the property or equipment is to be stored when not in use.

(15) Shall personally assist the deputy chief in the timely preparation of the administrative operations segment of the department's annual budget proposal. Furthermore, shall strive to keep the operating expenditures of those operations within the parameters of the current police budget, and shall require that all such expenditures are necessary toward maintaining adequate administrative operations.

(16) Shall require that sound judgment is routinely used in making a determination as to whether or not the authorization of overtime is absolutely necessary in order to maintain the good conduct of the administrative operations.

(17) Shall obey all department policies, procedures, rules, regulations, directives and lawful orders from superior department authority, and shall appropriately perform any and all other duties as may from time to time be lawfully ordered by superior department authority.

(c) *Lieutenant-Support Operations:*

(1) Shall be in command over the department's telecommunication/911 center, the detective unit, the property/evidence control unit, the training unit, all special service programs, all extra/special police details and of all operations with the municipal jail, (henceforth, collectively referred to as support operations). Shall be subordinate only to the lawful orders of superior department authority with the police chief being the ultimate authority throughout the department. Furthermore, shall assume the duties and responsibilities of the deputy chief whenever so ordered by the police chief.

(2) Shall regularly provide an effective and efficient direct line of management over all subordinate department members assigned to support operations duties. Furthermore, shall require nothing less than a satisfactory work performance from those members pursuant to all current department policies, procedures, rules, regulations, directives and lawful orders from superior department authority.

(3) Shall be responsible for the regular planning, posting and maintenance of the monthly duty schedules for the support service division, the detective unit and the DARE program instructor in an effective, efficient, timely and lawful manner. Shall be similarly responsible for the scheduling of all extra/special police details, other special service programs and all department training activities. Furthermore, shall authorize temporary changes and/or time off whenever necessary to properly conduct support operations.

(4) Shall utilize all best efforts toward identifying the training necessary to ensure the proper performance of support operations duties. Furthermore, shall file a timely written report to the deputy chief citing those needs and of the measures taken towards meeting them.

(5) Shall perform personal inspections of all police and jail facility work areas and equipment utilized by subordinate department members assigned to or in performance of support operations duties at regular intervals in order to identify all deficiencies that are not conducive to a proper and safe work environment. Furthermore, shall file a timely written report to the police lieutenant of administrative operations citing those deficiencies, and making corrective recommendations thereto. In any event, the lieutenant of support operations shall make immediate corrective measures in order to properly remedy any deficiency that poses an imminent threat of death or great bodily harm to human life, or to any deficiency that stands to violate any person's constitutional rights.

(6) Shall strive to create and maintain a high level of esprit de corps amongst all subordinates either routinely assigned to or otherwise temporarily in the performance of duties pertinent to support operations by regularly performing personal inspections of, and hosting group and individual meetings with those subordinates. Furthermore, shall provide a timely response to deficiencies by initiating or recommending to the deputy chief the initiation of appropriate corrective measures without any unnecessary delay. The pertinent facts and responsive corrective measures taken or recommended will be immediately reported in writing to the deputy chief.

(7) Shall perform a proper and timely inquiry into any subordinate's laxity in the performance of support operations duties, or minor infraction to the current department policies, procedures, rules, regulations, directives and lawful orders from superior department authority.

Furthermore, shall provide a timely response by initiating or recommending the initiation of appropriate corrective measures. The pertinent facts and responsive corrective measures taken or recommendations made will be immediately reported in writing to the deputy chief.

(8) Shall personally assist the deputy chief in the conduct of any lawfully ordered internal investigation into any allegation of serious misconduct filed against any subordinate member who was performing support operations duties at the time of the alleged misconduct.

(9) Shall regularly review all current department policies, procedures, rules, regulations, directives and orders of superior department authority that are pertinent to support operations in order to maintain a lawful, sound and contemporary path of command direction throughout those operations. Furthermore, shall immediately report in writing to the deputy chief any deficiencies or possible deficiencies that may exist thereof, and shall include any recommended changes.

(10) Shall regularly conduct integrity audits at regular intervals of all department forms, documents and reports compiled by subordinates performing support operations duties, and return them to the appropriate supervisor for further corrective action if and when there are any mistakes or omissions found therein.

(11) Shall personally tour the support operations work areas existing both inside and outside of the police and jail facility at irregular intervals in order to perform integrity audits of the manner in which each subordinate performs their support operations duties. Furthermore, shall give direction as to the most effective and efficient methods of properly performing supervisory or nonsupervisory support operations duties whenever necessary.

(12) Shall be the department's liaison with the village's ESDA unit, the village's E-911 board, the village clerk's office, the village's building department, the village's department of public works, the village's special events committee and with all local school districts and fire departments operating within the village, and shall ensure that all of their petitions for and inquiries or complaints about department services are properly addressed without any unnecessary delay. Furthermore, shall keep the deputy chief current with all such petitions, inquiries and complaints immediately after they are received.

(13) Shall require that sound judgment is regularly used toward determining as to whether or not the authorization of overtime is absolutely necessary in order to maintain the good conduct of support operations business.

(14) Shall personally assist the deputy chief toward maintaining a friendly and cooperative relationship between support operations and the general public by being the first to personally hear citizen complaints and/or inquiries pertinent to the operations and obligations of support operations. Furthermore, shall provide a timely response by initiating support operations services or recommending the initiation of other police services and/or corrective measures without any unnecessary delay. The pertinent facts and the responsive actions taken or recommended will be immediately reported in writing to the deputy chief.

(15) Shall personally assist the deputy chief in the timely preparation of the support operations segment of the department's annual budget proposal. Furthermore, shall strive to keep the operating expenditures of those operations within the parameters of the current police budget,

and shall require that all such expenditures are necessary toward maintaining adequate support operations.

(16) Shall personally assist the deputy chief toward professionally recruiting, examining and recommending the employment of persons qualified for telecommunication duties of and for the department.

(17) Shall ensure that all of the department's adult prisoners are properly booked, jailed, cared for, guarded, transported and released pursuant to all applicable department policies, procedures, rules, regulations, directives and orders by superior department authority, and the law.

(18) Shall obey all department policies, procedures, rules, regulations, directives and lawful orders from superior department authority, and shall appropriately perform any and all other duties as may from time to time be lawfully ordered by superior department authority.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-44-9-48. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

**📖 DIVISION 4. OTHER OFFICERS, SPECIAL UNITS, ETC.**

**📖 Sec. 9-49. Sergeants:**

(a) Patrol sergeants shall be charged with the enforcement of all laws, ordinances and orders, the prevention of crime and the arrest of offenders. They shall constantly patrol posts of the persons under them, meeting them as often as possible, and enforce their performance of duty. They shall instruct and assist patrolmen in the performance of their duties.

(b) Patrol sergeants shall inspect all persons going on duty, paying particular attention to their personal appearance, their uniforms, revolvers and other police equipment. They shall observe the appearance of all persons reporting off duty.

(c) Patrol sergeants shall review all complaints given to patrolmen on post duty and see that same are given proper attention.

(d) Patrol sergeants shall, at the conclusion of their tour of duty, submit a written report relative to crime in their district. They shall report all violations or orders, rules and regulations of the department on the part of patrolmen working under them.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-50. Detectives:**

(a) Sworn members of the police department assigned to citizen's dress or detective duty shall be charged with the enforcement of all the laws and ordinances, the prevention of crime and the arrest and prosecution of criminals.

(b) Sworn members of the police department in citizen's dress shall give prompt and diligent attention to all cases assigned to them, and shall report to the appropriate ranking officer such information as they secure pertaining to same. They shall keep a memorandum book of all details of such work.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-51. License Officers:**

(a) License officers shall systematically list all businesses and occupations in the village subject to village licenses, in a book provided for that purpose, which shall be kept in the police station. Each class of business shall be listed separately and arranged by streets and grouped in numerical order.

(b) License officers shall see that all license ordinances are complied with and shall prosecute all persons violating same.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-52. Department Of Records:**

(a) The secretary of the department shall keep a register of all members of the department, with complete information as to the date of their birth, nativity, former occupation, dates of appointment and promotion, reprimands, fines, suspension, reinstatement, resignation and death, and such other data as may be required. Upon the request for a pension, he or she shall certify such information as is necessary as well as the time of service to the pension board.

(b) The secretary of the department shall cause to be kept an inventory of all station furniture, equipment and supplies in the department.

(c) The secretary of the department shall cause to be kept an card index system of the number of persons in the department arranged in alphabetical order showing the division to which they are assigned. Members of the department shall be listed and arranged according to alphabetical order.

(d) Time allowed and lost by members of the department shall be placed in a file of members' names arranged in alphabetical order.

(e) Efficiency records of members of the department shall be kept under the supervision of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-53. First Aid:**

All members of the department shall familiarize themselves with the department rules of first aid so as to be able to render assistance whenever it is required.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-54. Waiver Of Rules:**

No officer or member of the department shall be authorized to waive any of the provisions of the rules and regulations of this article or any of the rules and regulations of the board of fire and police commissioners. Knowledge of or the existence of any failure to observe any of such rules and regulations by any member of the department of whatever duration shall not constitute a waiver of any of such rules and regulations.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-55. Part Time Police Officers:**

(a) *Appointment:* The mayor, with the advice and consent of the board of trustees, may appoint part-time police officers pursuant to the provisions of this section. Part-time police officers serve at the discretion of the mayor and board of trustees and shall not have any property rights in said employment.

(b) *Duties:* Part-time police officers shall have all the responsibilities of full-time police officers as limited by the general orders issued by the chief of police and by Illinois law. Part-time police officers shall not be assigned to supervise or direct full-time police officers. Part-time officers shall be trained in accordance with the provisions of the Illinois Police Training Act (50 ILCS 705/1 et seq.) and the rules and regulations promulgated by the Illinois Law Enforcement Training and Standards Board. The number of hours a part-time police officer may work within a calendar year is restricted.

(c) *Discipline:* All part-time police officers are under the command of the chief of police and are governed by the rules and regulations of the Justice police department. The chief of police shall have the authority to discipline, suspend, or terminate a part-time police officer with or without cause. Part-time police officers may be disciplined, suspended or terminated without notice, without the filing of charges, and without a hearing.

(d) *Requirements:* All persons employed as a part-time police officer must meet the following standards:

- (1) Be of good moral character, of temperate habits, of sound health, and physically and mentally able to perform assigned duties;
- (2) Be not less than twenty-one (21) years of age;
- (3) Possess a high school diploma or GED certificate;
- (4) Possess a valid Class D Illinois driver's license;
- (5) Submit to a fingerprint and criminal background check;
- (6) Pass a background investigation and any other investigation the village may require for employment;
- (7) Have no prior felony convictions;
- (8) Be honorably discharged from the U.S. military if having served in the military;
- (9) Pass medical and other examinations mandated by the village;

(10) Possess a valid FOID card;

(11) Be certified by the Illinois Police Training Standards Board pursuant to 50 ILCS 705/1;

(12) Have experience as or be a permanent police officer as defined in 50 ILCS 705/2;

(13) Have at least 20/100 vision, correctable to 20/20; and

(14) Possess a sound and professional law enforcement officer work ethic and be consistently available to provide such as needed.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2012-14, § 1, 5-29-2012)

**Secs. 9-56-9-60. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

** DIVISION 5. GENERAL RULES OF CONDUCT**

** Sec. 9-61. State Laws:**

If any of the rules and regulations adopted in this article by the board of fire and police commissioners shall be in conflict with any laws of the state, the laws of the state shall govern and such rules and regulations as may be in conflict are to be read and interpreted in accordance with the state laws.

(Ord. 2001-33, § 1, 9-24-2001)

** Sec. 9-62. General Standard:**

No member of the department shall conduct himself in a manner unbecoming to a member or employee of the department.

(Ord. 2001-33, § 1, 9-24-2001)

** Sec. 9-63. Obey Orders:**

All police officers shall promptly and speedily obey and execute all orders of a superior officer which are not in conflict with the laws of the United States of America, the laws of the state, the ordinances of the village or department rules.

(Ord. 2001-33, § 1, 9-24-2001)

** Sec. 9-64. Obey Officers:**

All members of the department shall observe and enforce the order of an acting sergeant and shall also observe orders of the officer in charge.

(Ord. 2001-33, § 1, 9-24-2001)

** Sec. 9-65. Always On Duty:**

Members of the department shall be considered as being on duty at all times. They shall be subject to special calls and special details upon the order of a superior officer at any time of the day or night, whether on duty or off duty; provided, however, that certain hours shall be designated as the working hours for each member of the department for the performance of police duty. It shall be the duty of every member of the department to respond and perform police duty at any hour of the day or night, whether on or off duty, where he has knowledge that an emergency exists and his services are required, whether notified by a superior officer or not. Members of the department shall have no other employment, nor shall they be members of the fire department.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-66. Absence From Duty:**

No member of the department shall absent himself from duty except on special permission from the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-67. Leaving Post:**

No member of the department shall leave his post without being regularly relieved.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-68. Attention To Duty:**

All members of the department shall be attentive to their duties.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-69. Negligence:**

No member of the department shall neglect his duty or duties.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-70. Inefficiency:**

No member of the department shall perform his duty or duties in an inefficient manner.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-71. Sleeping While On Duty:**

No member of the department shall sleep while on duty.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-72. False Report:**

No member of the department shall make a false report.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-73. Address; Telephone:**

Members of the department shall immediately notify the chief of any change in their residence address or telephone number.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-74. Discipline:**

Members of the department shall not use coarse, profane, obscene or insolent language in their conversation with citizens or members of the department; shall at all times be clean and neat in their appearance; shall be punctual; shall promptly comply with the orders of a superior officer; and shall comply with all the rules and regulations of the department. Superior officers shall be responsible for the bad conduct of their subordinates and shall report all violations of the rules and regulations of the department.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-75. Insubordination:**

Members of the department shall not be guilty of insubordination or disrespect towards a superior officer.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-76. Courtesy:**

Courtesy promotes mutual respect and is indispensable to discipline. Subordinates shall recognize the authority vested in superior officers and shall observe such authority on all occasions. Superior officers shall not be familiar with subordinates. All members of the department when addressing one another shall use the full title and at no time shall use abbreviations.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-77. Criticism:**

Members of the department shall not discuss or criticize, publicly or in private, the personal habits, character or conduct, or the official actions, of other members of the department.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-78. Compliance With Rules:**

It shall be the duty of all members of the department to familiarize themselves with the rules and regulations of the department and of the board of fire and police commissioners, and to comply strictly with same. Ignorance of the rules shall be no excuse for infraction of the same.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-79. Giving Personal Information:**

Members of the department shall give their name, rank and star number when requested.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-80. Loitering In Police Station:**

No persons other than those transacting police business shall be permitted to loiter in or about a police station or any other building of the department. Police officers shall not lounge or sleep in or about the police station or squad cars at any time.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-81. Departmental Information:**

No member of the department shall give out or release any information concerning the affairs or business of the department without the consent of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-82. Defense Witness:**

Members of the department subpoenaed or requested to appear for the defense in the prosecution of a criminal case or a village ordinance complaint shall immediately report to their commanding officer, who shall notify the state's attorney, or prosecuting attorney of the village, as the case may be.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-83. Communications To Other Departments:**

No member of the department shall address any official communication to any official of any other department of the village, except upon receiving permission from the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-84. Rewards:**

No member of the department shall receive or accept any reward or gift from any person for service rendered, or to be rendered as a member of the department, without the consent of the chief of police. It shall be the duty of all members of the department to notify the chief upon their receipt of such a reward.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-85. Gifts:**

No member of the department shall accept any fee, reward or gift of any kind from persons arrested or from any friend in his behalf while he is in custody or after his release or discharge. Members of the department shall not accept gifts from other members of the department, groups, clubs, associations, societies, citizens, lodges or political parties. Members of the department

shall not solicit contributions for a fund for the purpose of presenting other members of the department with a gift.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-86. Bribes:**

No member of the department shall accept bribes of money, gifts or other articles of apparent or actual value.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-87. Uniform:**

Police officers not assigned to the detective division or to plainclothes duty shall dress in full uniform during their tour of duty, and also when attending to police business, such as court hearings and trial board cases. They shall keep their uniform, police star, cap device and shoes cleaned and pressed at all times.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-88. Purchase Of Uniform From Other Police Officers:**

Police officers shall not purchase or wear police uniforms of other officers without the approval of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-89. Equipment-Upon Separation:**

All police officers leaving the department shall return the uniform and all police equipment not furnished at their own expense.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-90. Equipment-Death Of Officer:**

Commanding officers in case of the death of members of the department shall take up all village property held by the deceased officer and forward same to police headquarters.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-91. Equipment-Property Of Village:**

All equipment issued to police officers at the time of their appointment shall remain the property of the village.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-92. Revolvers-Kind Used:**

All police officers shall provide themselves with revolvers of patterns as approved from time to time by the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-93. Revolvers-Registered:**

Police officers, before purchasing revolvers, shall procure at police headquarters a permit as required by law. They shall, after purchasing the revolver, report to the chief of police and register the revolvers.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-94. Revolvers-Loss:**

The loss of revolvers by police officers shall without delay be reported to police headquarters and to the chief of police. The police officer shall be obliged to replace a lost revolver at his own expense.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-95. Stars-Wearing:**

Police officers, when in uniform, shall wear their star upon the left side of the chest on the outer garment of such uniform. No unauthorized shield or badge shall be worn on the uniform at any time. Officers shall not trade stars or cap devices with one another either permanently or temporarily, except with the permission of and by order of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-96. Stars-Loss:**

All members of the department shall immediately report to police headquarters the loss of any star or shield and shall replace same at his own expense.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-97. Stars-Requests:**

Any request by a member for a leave of absence or furlough shall be made in writing stating the period of time for which such leave of absence or furlough is requested and the reason therefor. One copy of such request shall be delivered to the chief of police and one copy to the board of fire and police commissioners for action in accordance with rule 7 of the general rules and regulations of such board. The chief of police and such board may accompany any request for leave of absence or for a furlough with their recommendation in connection therewith.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-98. Resignation:**

(a) All members of the department shall give fourteen (14) days' notice in writing to the chief of police of their intention to resign, and all such resignations shall be subject to the approval or disapproval of the board of fire and police commissioners. Any member withdrawing from the

department without leave from the chief and the board of fire and police commissioners shall be deemed disqualified to become a member of the police force again.

(b) Upon voluntary termination of employment of any police officer prior to successful completion of at least three (3) years of service, the officer shall be individually and personally responsible for repayment to the village the total training and uniform costs incurred by the village in accordance to the following schedule:

<u>Length Of Employment</u>	<u>Replacement Percentage</u>
Leave employment at any time within 1 year of date of hire	100%
Leave employment at any time between 1 and 2 years from date of hire	50%
Leave employment at any time between 2 and 3 years from date of hire	25%

This repayment requirement shall not apply to any employee who remains employed with the village for a period of more than three (3) years. Additionally, this reimbursement requirement shall not apply if the village terminates the officer's employment for disciplinary or financial reasons or if, as the result of an injury in the line of duty, the officer is no longer able to perform the duties of a police officer for the village of Justice.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2003-11, § 1, 4-14-2003)

 **Sec. 9-99. Smoking While In Uniform:**

Members of the department while on their tour of duty may only smoke within the confines of a police station or a squad car assigned for their use.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-100. Games Of Chance:**

Police officers shall not engage in any games of chance for stakes or wagers while on duty.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-101. Drinking:**

Members of the department shall not drink intoxicating liquor while on duty.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-102. Intoxication:**

No member of the department shall become intoxicated while on or off duty.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-103. Disorderly Conduct:**

No member of the department shall conduct himself or herself in a disorderly manner.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-104. Immoral Conduct:**

No member of the department shall conduct himself or herself in an immoral manner.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-105. Civility:**

Members of the department shall treat all persons civilly and refrain from arguments.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-106. Altercations:**

Members of the department shall refrain from physical altercations, except in line of duty, and shall not maltreat any prisoner or other person.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-107. Debts:**

Members of the department shall pay, discharge or satisfy within a reasonable time (the board of fire and police commissioners to be consulted and to fix such time) all just obligations and indebtedness owed by such members and shall not incur or become liable for obligations which they, in the reasonable course of events, could not contemplate meeting at their maturity.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-108. Assignment:**

No member of the department shall sell or assign any wages to be received from the department.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-109. Additional Rules:**

In addition to the rules and regulations of the board of fire and police commissioners in this article, all laws of the state, the provisions of this code, federal statutes, and department rules and regulations as promulgated by the chief of police pertaining to and affecting police officers, and the general rules of the board of fire and police commissioners, shall be by this reference rules and regulations of the board of fire and police commissioners, and all police officers shall be subject thereto.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-110. Bonds; Oaths:**

All members of the department shall provide bonds and oaths in accordance with this code.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-111. Information Provided:**

Members of the department, prior to acting as such if reinstated or a new appointee, shall fully complete and truthfully answer all interrogatories and sign all personnel forms as required by the board of fire and police commissioners. Any form not so completed or signed shall be found as not complying with this section.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-112. Taverns, Public Houses; Election Days:**

(a) Every member of the department is prohibited, when on duty, from spending his or her time in taverns or public houses, or playing pool, cards or any other games in such places.

(b) On all general and special election days, it shall be the duty of the department to preserve order at the polls, but in no case shall it interfere for or against any candidate at any such election.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-113. Serving Process:**

No member of the department shall serve any writ, summons or other process except on command of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-114. Officer May Stop A Suspect:**

A police officer having identified himself or herself as a police officer may stop any person in a public place whom the officer reasonably suspects is committing, has committed or is about to commit a criminal offense under the laws of the state or a violation of [chapter 7, article I](#), of this code, and may demand the name and address of such person and an explanation of his or her actions.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-115. Search Of Suspect For Deadly Weapons:**

When a police officer having identified himself or herself as a police officer has stopped a person for temporary questioning and reasonably suspects that he or she is in danger of attack, he or she may search such person for dangerous weapons. If the officer discovers such weapons, he or she may take such property until the completion of the questioning, at which time he or she shall either return such property if lawfully possessed or arrest the person.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-116. Arrests Authorized:**

The members of the department are hereby severally authorized to arrest, with or without process or on view, any person who shall break the peace or be found breaking any law of the village or any criminal law of the state, and to take such person before a competent tribunal or, if necessary, detail such person in custody overnight or Sunday in the police station, village jail, or any other safe place until they can be brought before the proper court for trial.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-117. Records:**

The department shall keep records of the names of all persons arrested, all persons committed to the village jail, and of all accidents which occur within the village limits.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-118. Gambling Devices:**

Any members of the department may seize any instrument, device or thing used for the purpose of gambling, or by or on which money or other articles of value may be lost or won, and all such instruments, devices or things may be demolished or destroyed. Authorized video gaming terminals allowed and licensed under section [3-107](#) shall be exempt from this section.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2012-16, § 4, 6-11-2012)

 **Sec. 9-119. Duty To Assist Police:**

It shall be the duty of any person in the village, when called upon by any member of the department, to promptly aid and assist him in the execution of his or her police duties.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-120. Resistance To Officers:**

No person shall resist any member of the police department or any other person duly authorized to perform police duty in the discharge of his or her duty as a police officer, nor shall offer or endeavor to do so, nor shall in any manner assist any person in the custody of the police department to escape or attempt to rescue any person from custody.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-121. Impersonating An Officer:**

It shall be unlawful for any person not a member of the police department to falsely represent himself to be a member of the police department of the village or to assume to act as a police officer in any capacity, or for any person other than a police officer to wear a star, uniform or other official badge like that of a police officer.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-122-9-130. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

## **DIVISION 6. POWERS AND DUTIES GENERALLY**

### **Sec. 9-131. General Duties:**

It shall be the duty of all police officers to enforce all laws and ordinances of the state and the village, and to perform all duties imposed upon them by the laws of the state, the provisions of this code, and the rules and regulations of the department, and the rules and regulations of the board of fire and police commissioners.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-132. Use Of Duty Time; Preservation Of Order:**

All members of the department, when on duty, shall devote their entire time and attention to discharging the duties of a police officer according to the laws of the state, the provisions of this code, and the rules and regulations of the department. Police officers shall preserve the peace, order and quiet and enforce the laws and ordinances throughout the village.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-133. Force; Exercise Of Discretion:**

Police officers shall discharge their duties in a discreet and orderly manner. No more force than is necessary shall be used in making arrests.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-134. Booking Prisoners:**

Police officers shall without delay book all persons arrested by them, except where such persons are being held ~~on orders of the chief of police~~ for investigation.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-135. Notice Of Arrest:**

Police officers on desk duty shall, when persons are booked and held, notify their relatives or friends so that they may obtain bail. Under no circumstances shall police officers or employees of the department make any charge or accept any fee, money or reward for conveying or sending messages of this character.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-136. Females In Care Of Matron Or Policewoman:**

Female prisoners shall, as soon as possible, be placed in the care of a matron or policewoman and shall, while in custody of a male police officer, be chaperoned by a matron or policewoman.

(Ord. 2001-33, § 1, 9-24-2001)

### **Sec. 9-137. Juveniles:**

(a) A juvenile, when arrested, who comes within the jurisdiction of the juvenile laws, shall not be placed in a cell, prison or other place of confinement, or in a vehicle for transportation with adults charged with or convicted of crime. Such juvenile shall be brought to the attention of such police officer as may be designated as juvenile officer by the chief of police, as quickly as possible, so that he may be disposed of according to the provisions of the juvenile laws.

(b) A juvenile shall be arrested only when clearly necessary in the interests of peace and justice and the welfare of the individual. Ordinary pranks should be reported to parents, and a police officer should endeavor to gain the respect of a juvenile and to encourage him in legitimate pursuits.

(c) A wayward juvenile should be reported to the commanding officer, to be referred to a policewoman, or the appropriate juvenile authority.

(d) Where a juvenile is arrested, brought to the station, and later permitted to go home, a report shall be forwarded through official channels to the chief juvenile officer of the juvenile court, explaining the delinquency.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-138. Searching Prisoners:**

Police officers shall, before placing persons in a cell, thoroughly search and take all personal property from them and turn same over to the police officer on desk duty, who shall give such prisoner a receipt therefor. The arresting officer shall inventory the property taken from the prisoner in the presence of the prisoner. Receipts shall not be given for concealed weapons or property alleged to have been stolen which may be used as evidence. It shall be the duty of the police officer making the search to require the prisoner to sign such receipt.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-139. Property Recovered Not Held As Evidence:**

All recovered, lost and stolen property shall at once be inventoried on forms provided for that purpose and filed with the custodian without delay, except when held as evidence.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-140. Property Held As Evidence:**

Property held as evidence shall be inventoried as required in section [9-171](#) of this chapter. Such property shall be held at police headquarters subject to the orders of the chief of police until the case is disposed of in the courts.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-141. Warrants; Assault Upon Officer, Against Officer:**

Police officers shall not apply for warrants for assault upon themselves without reporting the case to the chief of police. Police officers detailed as warrant clerks shall not draw up complaints or warrants against the police officers without first informing the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-142. Additional Authority:**

In addition to the authority granted them by the rules and regulations of the board of fire and police commissioners, police officers shall have such authority as may be granted them by the laws of the state, the provisions of this code and federal statutes.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-143. Fires-General Duties:**

Police officers in command at fires shall cause streets, alleys and other places in the vicinity of such fires to be cleared of persons and obstructions. They shall establish fire lines and allow no one except firefighters reporters and officials to pass. A space inside of the fire lines shall be reserved for the deposit of salvaged property, and police officers in command shall cause the property to be properly protected.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-144. Fires-Origin:**

Police officers first arriving at a fire shall, if possible, in all cases be particular to ascertain the exact location where the fires originate. If they believe fires to be incendiary they shall at once note in their memorandum book all information concerning the origin of the fire which would aid in the investigation thereof and in the prosecution of persons responsible.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-145. Reports-Accidents:**

When police officers are at the scene of an accident, or their attention is called to an accident, they shall, after rendering first aid, apprehend the person or persons who are criminally responsible for the accident. Such officers shall obtain the necessary information concerning the accident and make a full report. to headquarters.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-146. Reports-Stolen Automobiles:**

Police officers, when informed of the theft of an automobile, shall obtain full information in regard to same and file a written report containing all of the information.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 DIVISION 7. COMPLAINTS AGAINST OFFICERS**

**📖 Sec. 9-147. Complaint By Member:**

Any member of the department having a complaint to make against other members of the department for the violation of the rules and regulations of the department, or of the board of fire and police commissioners, shall make a statement thereof under oath and before witnesses and shall file the same with the chief of police, or his designee, who shall investigate same and make a written report to the board.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-148. Complaints Of Citizens:**

All complaints made by citizens against members of the department for the violation of any of the police rules and regulations or for the violation of any of the rules and regulations of the board of fire and police commissioners may be filed with the chief of police, who shall promptly investigate such charges. The chief of police upon the complaint of a citizen shall take the necessary steps to bring the complaint to the attention of the board of fire and police commissioners. The substance of all oral and written complaints received at the police station shall be promptly filed in the office of the chief of police who shall investigate same and make a report to the board of fire and police commissioners.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-149-9-155. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

**📖 ARTICLE III. AUXILIARY POLICE**

**📖 Sec. 9-156-9-170. Reserved**

**. Appointment:**

The president is hereby authorized to appoint as employees such auxiliary police officers as may be required for the safety and welfare of the village, 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., or Illinois state police for any possible criminal record. No person shall be appointed as an auxiliary police officer if he 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.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-157. Qualifications:**

Auxiliary police officers shall not be members of the regular police department. Auxiliary police officers shall be residents of the village. Identification symbols worn by 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.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-158. Powers; Duties:**

Auxiliary police officers, when properly assigned and on duty, shall:

- (1) Aid or direct traffic in the village;
- (2) Aid in the control of natural or manmade disasters;
- (3) Aid in case of civil disorder;
- (4) Perform normal and regular police duties when assigned by the chief of police on occasions when it is impractical for members of the regular police department to perform normal and regular police duties, as follows:
  - a. Arrest or cause to be arrested, with or without process, all persons who break the peace or are found violating any provision of this code or any criminal law of the state;
  - b. Commit arrested persons for examination;
  - c. If necessary, detain arrested persons in custody overnight or Sunday in any safe place, or until they can be brought before the proper magistrate;
  - d. Exercise all other powers as conservators of the peace that the board of trustees may prescribe;
  - e. Serve and execute all warrants for violations of this code, or the state criminal law, within the limits of the village, and for this purpose they shall have all the common law and statutory powers of sheriffs.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-159. Firearms:**

Auxiliary police officers shall not carry firearms, except with the permission of the chief of police, and then only when in uniform and in the performance of their duties.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-160. Training:**

Auxiliary police officers, prior to entering upon 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 twenty (20) hours in duration. Upon completion of the course of training, the chief of police shall file a certificate attesting to the auxiliary police officer's completion of such course, with the village.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2009-15, § 42, 6-22-2009)

**📖 Sec. 9-161. Compensation:**

Auxiliary police officers shall be paid in accordance with section [2-34](#) of this code, per hour of service performed, provided such service is performed at the direction of the chief of police.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-162-9-170. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

**📖 ARTICLE IV. PROPERTY IN CUSTODY; EVIDENCE<sup>1</sup> ↓**

<sup>1</sup> See also section [6-41](#) et seq. of this code.

**📖 Sec. 9-171. Custodian Responsible For Property Seized:**

(a) The custodian of lost and stolen property, under the direction of the chief of police, shall act as custodian of all property seized or taken, which shall be delivered at once to the custodian unless it is wanted for immediate use as evidence in any case, and, in that event, a report and inventory of the same shall be forwarded at once to the custodian.

(b) Nothing contained in this article, however, shall be held to require the custodian to take possession of, or to make disposition of, any lost or stolen property., the disposition or possession of which is otherwise provided for by this code.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-172. Disposal Or Sale Of Unclaimed Property<sup>2</sup>:**

The custodian shall keep a record of all property which may be seized or otherwise taken possession of by the police department. If such property shall not be claimed by the rightful owner thereof and possession surrendered to such owner within six (6) months from the date of the final disposition of the court proceedings in connection with which the property was seized or otherwise taken possession of, or in case there are no court proceedings, then if the property shall not be claimed by the rightful owner thereof, and possession surrendered to such owner within six (6) months from the date of such seizure or taking by the police, the custodian shall proceed to dispose of the property. If such property is deemed salable the custodian shall cause to be published in a daily newspaper of the village, a notice of sale at public auction of such property describing in general terms and not by individual items and shall give notice that if such property is not claimed by the rightful owner within ten (10) days from the date of such publication such property will be sold at public auction at such place as the chief of police may direct and in such manner as to expose to the inspection of bidders all property so offered for sale. No member of the police department, directly or indirectly, shall participate in the bidding for, or purchase of such unclaimed property; provided that any such unclaimed property, if deemed by the chief of police to be of use to any village department, may be retained for use of such department. Provided, further, that any such unclaimed property deemed by the custodian to be unsalable shall be confiscated and destroyed.

(Ord. 2001-33, § 1, 9-24-2001)

<sup>2</sup> 765 ILCS 1030/3.

**📖 Sec. 9-173. Sale Of Perishable Or Bulky Property:**

If any property seized or taken by the police force shall be of a perishable nature, or so bulky or of such a nature as to make it dangerous or inadvisable to retain possession thereof for the length of time specified in section [9-172](#) of this article, the custodian , upon certifying such fact to the chief of police and setting forth his reasons why such property should not be retained for such period before disposing of same, shall with the approval of the chief of police, cause such property, if deemed by the custodian to be salable, to be advertised forthwith in a daily newspaper of the village, and shall sell such property at public auction at any time after three (3) days shall have elapsed from the seizure or taking possession thereof. However, if any such property is deemed to be unsalable or dangerous, it shall be disposed of as refuse or in such other reasonable manner as may be deemed by the custodian.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-174. Proceeds Of Sale:**

The proceeds of any sale made under this article, after deducting the costs of storage, advertising, selling, and other expenses incident to the handling or selling of property, shall be paid by the custodian to the board or the police and fire committee for use in the police equipment and department fund.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-175. Deadly Weapons:**

No pistols, revolvers, bowie knives, dirks, slingshots, metallic knuckles, or other deadly weapons of like character shall be sold under this article. All such weapons, except those that the chief of police deems to be of use to the department and retains for that purpose, shall, within six (6) months after their receipt, be taken by either the custodian or his duly appointed deputy, and the chief of police or his duly appointed deputy, to a steel mill where they shall be destroyed by being placed in a furnace and melted down to form new metal.

(Ord. 2001-33, § 1, 9-24-2001)

**Secs. 9-176-9-180. Reserved:**

(Ord. 2001-33, § 1, 9-24-2001)

**📖 ARTICLE V. ARREST, TRIAL PROCEDURES**

**📖 Sec. 9-181. Arrest:**

The president or any member of the board and the several members of the police force of the village shall have the powers and duties of arrest as provided by law.

(Ord. 2001-33, § 1, 9-24-2001)

**📖 Sec. 9-182. Commitment:**

In all cases where judgment shall be rendered in favor of the village, a person convicted of a violation of any section of this code shall be committed to the village jail or other place of imprisonment provided or authorized by the village and be imprisoned therein for failing to pay any fine, forfeiture, penalty or costs which may be adjudged against such person where the defendant shall have waived a jury in writing or when such judgment shall be pursuant to the verdict of a jury. At the expiration of the term of confinement the keeper of the place of confinement shall endorse the writ of commitment, "Satisfied in full by imprisonment", and discharge such person from his custody. Commitment by any person as provided in this article shall be by process, under the hand of the court which shall have made the order for such commitment.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-183. Jail-Designated:**

The place in the village established and used as the jail, or any other place which may be established by the board for that purpose, is hereby declared to be the village jail.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-184. Jail-Keepers Generally:**

The chief of police and his assistants shall be ex officio keepers of the jail and shall have the custody, charge and keeping of the same, and all persons committed thereto. under the supervision and direction of the president and the village board.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-185. Jail-Receiving Prisoners:**

In all cases of arrests on view for a violation of any of the sections of this code in which detention in custody of the persons so arrested shall be authorized thereby, it shall be the duty of the keeper of the village jail or other place of confinement provided for violators thereof to receive and he is hereby authorized to receive, from any officer of the village legally empowered to make an arrest, any such persons and to safely keep them until they can be safely brought before the circuit court of the county and be tried for such violation in the manner prescribed by the law.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-186. Appearance; Imprisonment; Bail:**

Whenever any person shall be arrested without process, or on view, for breaking the peace or violating any provision of this code and shall be taken before the circuit court of the county, the judge thereof shall note upon his docket the cause of such arrest, as stated by the officer making such arrest, and proceed to hear and determine the case in the same manner as if the defendant had been arrested on a warrant; or may continue the case, for lawful cause, as provided in other actions before the proper officer, in which case if the defendant shall give bond payable to the village and conditioned for his appearance before such court, on the day and at the place named therein, and his abiding the order of the judge, and not departing the court without leave, with

security in a sum to be approved by such judge, he shall be discharged from the custody of the officer making the arrest; otherwise he shall, in the discretion of the judge, be committed to the village jail or other place provided for the imprisonment of offenders against the village, or remain in the custody of the officer making the arrest until the time set for the trial of the case.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-187. Officers As Witnesses In Court!:**

All officers making arrests shall attend as witnesses before the court where the trial may be had and shall procure all necessary evidence in their power, and furnish a list of witnesses to the court. No village officer shall be entitled to any witness fees to be taxed against the village in any action for a violation of any section of this code where the village is plaintiff.

(Ord. 2001-33, § 1, 9-24-2001)

1 725 ILCS 5/114-9.

#### **Sec. 9-188. Authorization Of Prosecution:**

(a) No judge shall issue any warrant or summons for the violation of any provision of this code except on request of the president, a village trustee, the village building commissioner, the village code enforcement officer, the village attorney or a village police officer.

(b) In case a prosecution shall be begun in the name of the village without the authority of one of such village officials for the violation of any provision of this code in which the village might be made liable to pay costs, it shall be the duty of the village attorney to investigate the facts and if, in his opinion, the suit ought not to be maintained, he shall appear in behalf of the village and dismiss such prosecution.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-189. Recovery Of Fines:**

All fines, forfeitures, penalties and costs imposed against any person by any of the provisions of this code may be recovered before the circuit court of the county by action of debt in the name of the "Village of Justice", and judgment may be rendered thereon and collected by execution or other process, as other judgments of such court are rendered and collected. Such fines, forfeitures and penalties when collected shall be paid over to the treasurer of the village within ten (10) days from the time of the receipt thereof. by such judge, who shall make a report in writing to the board on the first day of each month, showing a record of all fines, forfeitures and penalties by him collected during the preceding month. No judge shall remit any fine, forfeiture or penalty imposed upon any person wherein the village is party plaintiff or in anywise interested without the consent in writing of the village president or the board.

(Ord. 2001-33, § 1, 9-24-2001)

#### **Sec. 9-190. Form Of Citation:**

Whenever a peace officer is authorized to arrest a person without a warrant because of a violation of:

- (1) A provision prohibiting the parking of a vehicle in a designated area;
- (2) A provision restricting the length of time a vehicle may be there parked;
- (3) A provision requiring the purchase and display of a vehicle sticker;
- (4) A provision regulating parking in metered zones; or
- (5) A provision regulating and licensing dogs;
- (6) Provisions regarding defective vehicles which can be readily remedied such as defective windshields, mufflers, lights, tires, or brakes;
- (7) Provisions regarding registration of vehicles; the officer may instead issue to such person a citation or notice to appear, in a form approved by the village board.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-191. Settlement:**

Pursuant to the citation or notice, the person accused of the code violation may settle and compromise the claim against him for such violation by paying to the village the amount specified therein within forty eight (48) hours of the time the alleged offense was committed. Such payment shall be made, in accordance with the instruction contained in the citation, to the village, which shall issue a receipt for the money so received and promptly remit such amount to the village to be credited to the proper village fund.

(Ord. 2001-33, § 1, 9-24-2001; Ord. 2009-15, § 43, 6-22-2009)

 **Sec. 9-192. Arrest Warrant:**

If a person to whom a citation or notice to appear is issued fails to settle and compromise the claim within the prescribed time, the peace officer may cause an arrest warrant or arrest summons to be issued by and prosecuted in the circuit court of the county.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-193. Prima Facie Proof:**

The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such violation.

(Ord. 2001-33, § 1, 9-24-2001)

 **Sec. 9-194. Witness Appearance Fees:**

A sixty dollar (\$60.00) witness fee shall be allowed to all village personnel when their presence is required at a court hearing or special meeting if they are acting under the official capacity of their office and/or furthering the welfare and interest of the village. An additional five dollars (\$5.00) shall be allowed for transportation and meal expense if incurred in connection with their appearance. However, no witness fee or expense shall be allowed to any

person if at the time that his appearance is required he is on duty in the village earning his regular compensation. This section does not apply to police personnel.

(Ord. 2001-33, § 1, 9-24-2001)