

FILED

ORDINANCE NO. CO-2016-22

**AN ORDINANCE AMENDING
TITLE III (ADMINISTRATION),
CHAPTER 31 (DEPARTMENTS, BOARDS, AND COMMISSIONS),
SECTION 31.21 (BOARD OF FIRE AND POLICE COMMISSIONERS)
OF THE MAYWOOD VILLAGE CODE
RELATIVE TO MEMBERSHIP, TERM AND ADMINISTRATIVE DUTIES**

WHEREAS, the Village of Maywood is a home rule municipality as defined by Article VII, § 6 of the Illinois Constitution of 1970; and

WHEREAS, the President and Board of Trustees of the Village of Maywood desire to make certain amendments to the Maywood Village Code as set forth below (the "Code Amendments"); and

WHEREAS, pursuant to the authority granted under the applicable provisions of the Illinois Municipal Code (See, Board of Fire and Police Commissioners, 65 ILCS 5/10-2.1-1 *et seq.*) and in accordance with the home rule authority granted to home rule municipalities as defined by Article VII, § 6 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood approve the Code Amendments as set forth below.

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The above recitals are incorporated as if fully set forth herein as material terms and provisions.

SECTION 2: Title III (Administration), Chapter 31 (Departments, Boards, and Commissions), Section 31.21 (Board of Fire and Police Commissioners) of the Maywood Village Code is amended to read in its entirety as follows:

"§ 31.21 BOARD OF FIRE AND POLICE COMMISSIONERS.

(A) Creation; composition and terms of members. There is created a Board of Fire and Police Commissioners consisting of five (5) members whose terms of office shall be three (3) years, except as provided for in the next sentence, and until their respective successors shall be appointed and qualified as provided by statute. For the new appointees to the Board after October 4, 2016, the first appointee shall serve a term that expires on December 31, 2017, the next two (2) appointees shall serve a term that expires December 31, 2018, and the final two (2) appointees shall serve a term that expires December 31, 2019.

(B) Qualifications, oath, bond, certification and removal of members.

(1) Qualifications, oath, bond. The members of the Board shall possess the qualifications required of other officers of the Village, shall take oath or affirmation of office, and give bond in the same manner as other appointive officers of the Village.

(2) Certification. Each new member of the Board shall participate in the education and certification program conducted by the Illinois Fire and Police Commissioners Association (or any successor association) and will complete the program within eighteen (18) months of his/her appointment to the Board.

(3) Removal. A member shall only be subject to removal for cause, upon written charges, and after an opportunity to be heard within thirty (30) calendar days in his or their own defense, before a regular meeting of the Board of Trustees. A majority vote of the Board of Trustees shall be required to remove any such member from office. Cause for removal shall include, but is not limited to, failure to complete the education and certification program conducted by the Illinois Fire and Police Commissioners Association as required in subsection (2) above, malfeasance and the failure to apply and enforce rules that effectively carry out the purpose of Article 10, Section 2.1 of the Illinois Municipal Code (65 ILCS 5/10-2.1-1 *et seq.*) in that they fail to effect the removal of officers and members of the Police and Fire Departments of the Village where cause for such removal exists due to violations by such officers or members of applicable state statutes, general orders, Department rules, the community policing policy of the Village, or other relevant Village policies.

(C) Appointments by Board. The Board of Fire and Police Commissioners shall appoint all officers and members of the Fire and Police Departments of the Village, except the Chief of Police, the Deputy Chief of Police, Police Commander(s), and the Chief of the Fire Department. All appointments to each department other than that of the lowest rank shall be made from the rank below that to which the appointment shall be made, except with respect to the appointment of the Chief of Police, Deputy Chief of Police, Police Commander(s), and Chief of the Fire Department, who shall be appointed by the Village Manager. The appointment of the Chief of Police, Deputy Chief of Police, Police Commander(s), and Chief of the Fire Department need not be from among the members of the Police and Fire Departments.

(D) Temporary appointments.

(1) Notwithstanding anything to the contrary in this section, the Village Manager, or the Board of Fire and Police Commissioners at the Village Manager's request, may, in order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material

impairment of either the Fire or Police Departments of the Village, make temporary appointments of officers and members of the Fire and Police Departments of the Village, to remain in force until regular appointments may be made by the Commission, but the term of appointments shall not exceed one hundred fifty (150) calendar days per person in any one (1) calendar year.

(2) Hiring process.

(a) The Manager or the Commission (at the Manager's request) shall post a notice of acceptance of applications for temporary appointment to the Police Department and the Fire Department at least once in a local newspaper of general circulation within the Village and on the Village website not less than ten (10) calendar days prior to the deadline for application submittals. In the discretion of the Manager, the application process can be conducted on a continuous basis with no deadline for application submittals. The Manager, or the Commission at the Manager's request, may test applicants in the labor market on a continuous basis. Testing, evaluation, and the placement of applicants on an eligibility list shall be according to the scoring methods determined by the Manager. The purpose of continuous testing is to provide a labor pool of the most qualified candidates in the local labor market so that the Village may provide the highest possible quality of service to the public. Candidates evaluated through the continuous testing process shall be compared with candidates previously tested based upon job-related qualifications for the position tested as set forth in the hiring standards and criteria below. When continuous testing applies, all candidates shall be subject to substantially similar testing procedures and the method of scoring shall be the same. Candidates who are added to the current eligibility list under the continuous testing process will remain eligible for appointment from either the current eligibility list or the subsequent eligibility list for a period of two (2) calendar years from the date his or her name is added to the eligibility list or the date he or she successfully completed the hiring process, whichever is earlier.

(b) To be eligible for consideration, each candidate must submit a completed application and successfully complete or satisfy the hiring standards and criteria set forth in this section. Only persons who have received a certificate attesting to their successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, 50 ILCS 705/1 *et seq.*, as amended, and who have been certified by the Illinois Law Enforcement Training and Standards Board as a full-time police officer shall be eligible for temporary appointment to the Police Department. Only persons who are certified by the State of Illinois

both as a Firefighter II and as an Emergency Medical Technician/Paramedic shall be eligible for temporary appointment to the Fire Department.

(c) In addition to the required training and certifications listed above, to be eligible for temporary appointment, candidates shall satisfy the following hiring standards and criteria:

1. For temporary appointment to the Police Department:
 - A. Successful completion of a full background investigation.
 - B. Successful completion of polygraph and psychological examinations.
 - C. Successful completion of Field Training Program with the Police Department and Oral Interview with Police Chief.
 - D. Expressed an interest in becoming a Police Department Full-Time Officer.
2. For temporary appointment to the Fire Department:
 - A. Successful completion of a full background investigation.
 - B. Successful completion of polygraph and psychological examinations.
 - C. Successful completion of Field Training Program with the Fire Department and Oral Interview with Fire Chief.
 - D. Expressed an interest in becoming a Fire Department Full-Time Officer.

(d) Upon successful completion of the application process, the Manager, or the Commission at the Manager's request, shall prepare and post an eligibility list in Village Hall and on the Village website that lists the successful candidates in alphabetical order. The eligibility list shall remain in effect for two (2) calendar years from the date of its initial posting; unless, the Manager uses the continuous hiring process. With the continuous hiring process, new successful candidates will be added to the eligibility list from time to time. In no case, however, shall a successful candidate's name remain on the eligibility list in excess of two (2) calendar years from the date he or she is added to the eligibility list or the date he or she successfully completed the hiring process, whichever is earlier. The Manager, or the Commission at the Manager's request, shall have the discretion to strike any person from the eligibility list who is determined to no longer meet the hiring standards and criteria or who declines to accept an offer of hire; and hire any person listed on the eligibility list.

(E) Powers generally. The Board of Fire and Police Commissioners shall make such rules and make such appointments and removals and shall

have such other and further powers as are contained in the Illinois Municipal Code, 65 ILCS 5/10-2.1-1 *et seq.*

(F) Compensation of members. Each member of the Board shall receive the sum of one hundred fifty and no/100 dollars (\$150.00) for each meeting actually attended, up to a maximum of three hundred and no/100 dollars (\$300.00) per month, except the Secretary of the Board, who shall receive the sum of two hundred and no/100 dollars (\$200.00) for each meeting actually attended, up to a maximum amount of four hundred and no/100 dollars (\$400.00) per month. The compensation of members of the Board is subject to review and revision from time to time by the President and Board of Trustees.

SECTION 3: To the extent necessary, all tables of contents, indexes, headings, and internal references or cross-references to sections that need to be amended or deleted within the Maywood Code of Ordinances, as amended, as a consequence of the above Code Amendments, shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 4th day of October, 2016, pursuant to a roll call vote as follows:

AYES: Trustee(s) H. Yarbrough, Sr., I. Brandon, M. Rogers and R. Rivers.

NAYS: Mayor Edwenna Perkins.

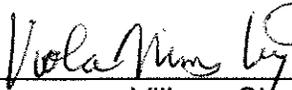
ABSENT: Trustee(s) A. Dorris and M. Lightford.

APPROVED by me this 5th day of October, 2016, and attested by the Village Clerk on the same day.

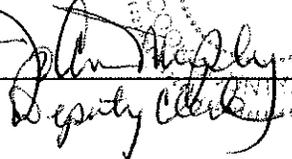


Village President

ATTEST:



Village Clerk



Deputy Clerk

