

CHAPTER 3
APPOINTED OFFICERS

| <u>Ordinance</u> | | <u>Date Passed</u> |
|-------------------------|---|---------------------------|
| 023 | Building Official | 04.13.66 |
| 030 | Salary for the Village Attorney | 06.22.66 |
| 077 | Repealing Ordinance 030 | 09.10.67 |
| 090 | Creating office of Village Collector and Designating the Village Clerk as the Collector | 02.14.68 |
| 254 | Director of Public Works | 03.22.71 |
| 262 | Building Commissioner | 04.14.71 |
| 303 | Village Manager | 09.15.71 |
| 73-008 | Department of Community Planning and Development | 02.07.73 |
| 73-026 | Director of Inspection - Building Inspector | 05.23.73 |
| 73-065 | Director of Finance | 09.12.73 |
| 73-073 | Abolishing Treasurer and establishing Director of Finance | 10.17.73 |
| 73-081 | Delete Article 3 - Playground and Recreation Board | 11.28.73 |
| 74-119 | New Article 5 - Department of Planning and Zoning | 11.24.74 |
| 74-120 | New Article 10 - Department of Building Inspection | 11.12.74 |
| 74-124 | Director and Reports of Youth Development Commission | 11.19.74 |
| 75-086 | Director of Public Works - Stop Orders | 11.21.75 |
| 75-087 | Duties and Powers of Engineer | 11.18.75 |
| 76-056 | Village Attorney and Corporation Counsel | 06.01.76 |
| 76-058 | Repealing 76-056 | 06.15.76 |
| 76-059 | Village Attorney - Corp. Counsel and Prosecutor | 06.15.76 |
| 76-078 | Director of Public Works and Engineering | 07.20.76 |
| 77-038 | Changing title of Village Manager to Village Administrator | 05.16.77 |
| 77-071 | New Article 11 - Bolingbrook Counseling Center | 10.18.77 |
| 80-060 | New Article 12 - Assistant Village Administrator | 10.21.80 |
| 80-079 | Amending Article 5 - Department of Community Development in its Entirety | 12.16.80 |

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| <u>Ordinance</u> | | <u>Date Passed</u> |
|-------------------------|--|---------------------------|
| 81-013 | New Article 13 - Director of Industrial and Commercial Marketing | 04.14.81 |
| 81-021 | Amending Article 5 - Department of Community Development, Regarding Ordinance Enforcement | 06.23.81 |
| 82-008 | Amending Chapter 3 - "Appointed Officers" in its Entirety | 02.09.82 |
| 84-003 | Amending Article 8 - Director of Industrial and Commercial Marketing Regarding Duties | 1.10.84 |
| 84-009 | Amending Article 5 - Appointed Officers | 02.28.84 |
| 84-073 | Amending Chapter 3 - Approving an Agreement Between the Village and Barry L. Moss, Moss and Bloomberg, Ltd. | 12.11.84 |
| 85-039 | Amending Article 3 - Director of Finance and Administration | 07.23.85 |
| 85-040 | Amending Article 4 - Village Collector | 07.23.85 |
| 85-047 | Amending Articles 3 and 4 - Director of Finance and Collector | 08.27.85 |
| 85-063 | Repealing Article 8 in its Entirety and Adding Article 2, Section 3-205 -Coordinator of Industrial and Commercial Marketing | 10.22.85 |
| 87-026 | Amending Article 6 - Department of Public Works and Engineering and Adding Article 8 - Village Engineer | 04.28.87 |
| 90-053 | Amending Article 2 - Budget Officer | 04.24.90 |
| 91-069 | Amending Article 2 - Village Administrator and Enacting New Article 9 - Public Safety Director | 06.25.91 |
| 94-087 | With Respect to Fees and Fines | 07.26.94 |
| 00-136 | Amending Administration of the Executive Department | 08.22.00 |
| 01-206 | Appointed Officers | 12.18.01 |
| 02-087 | Add New Article 10 (Information Technology Dept.) | 07.24.02 |

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CHAPTER 3 -- APPOINTED OFFICERS

ARTICLE I -- GENERAL PROVISIONS

Section 3-101. INTERPRETATION AND EFFECT. The provisions of this Article shall apply alike to all officers and employees of the Village, regardless of the time of creation of the office or position or the time of appointment of the officer or employee.

Section 3-102. APPOINTMENTS. All appointed officers and Department Directors shall be appointed by the President and Board of Trustees as provided by state statute and municipal ordinance. All employees in the absence of any provision to the contrary shall be appointed or selected by the Village Manager. Neither the Village President, nor any of the Village Trustees, shall receive appointment to the post of Village Manager or to any Department Directorship during the term for which he shall have been elected or appointed or within one (1) year after the expiration of his term.

Section 3-103. TERM OF OFFICE - VACANCIES. Every appointed officer or employee of the Village shall hold office during the fiscal year or until his successor is appointed and qualified, unless it is otherwise provided by ordinance. In case of a vacancy in any such place, it shall be filled in the same manner in which appointments or selections are made, in the absence of provision to the contrary.

Section 3-104. MONIES RECEIVED. Every officer of the Village shall during the next business day turn over money received by him in his official capacity to the Director of Finance and Administration with a statement showing the source from which the same was received. All money, fines, penalties or other sums received on behalf of the Village or which may belong to the Village or be due to the Village by law shall be delivered to the Director of Finance and Administration within one week of the time it is so received.

Section 3-105. OATH AND BOND. Every officer of the Village before entering upon his duties shall take the oath prescribed by statute for the office he assumes. Every officer of the Village, other than the Trustees, before entering on his duties shall execute and file a bond in an amount to be approved by the President and Board of Trustees and in the manner and form provided by statute.

Section 3-106. SALARIES. All officers and employees of the Village shall receive such salary as may be provided from time to time by the President and Board of Trustees.

Section 3-107. TERMINATION OF OFFICE. Every officer of the Village upon termination of his office, for any cause whatsoever, shall deliver to his successor all books and records which may be the property of the Village; and if no successor has been appointed within one week after the termination of office, such property shall be delivered either to the Village Manager or to the Village Clerk.

Section 3-108. IMPERSONATION OF A VILLAGE OFFICER OR EMPLOYEE -- PENALTY. It shall be unlawful for any person to impersonate, without lawful authority, any Village officer or employee. Any person violating the provisions of this section shall be fined not less than One Hundred Dollars (\$100) nor more than Two Thousand Dollars (\$2000) for each such offense. (Ordinance No. 94-087, 07.26.94)

Section 3-109. INTERFERING WITH DUTIES OF A VILLAGE OFFICER OR EMPLOYEE -- PENALTY. It shall be unlawful for any person to interfere with or hinder, without lawful authority, any Village officer or employee while engaged in the duties of his office. Any person violating the provisions of this section shall be fined not less than One Hundred Dollars (\$100) nor more than Two Thousand Dollars (\$2000) for each such offense. (Ordinance No. 94-087, 07.26.94)

ARTICLE 2 -- MAYOR'S REPRESENTATIVE

(Ordinance No. 01-206, 12.18.01)

Section 3-201. SUBSTITUTION OF TERM "MAYOR'S REPRESENTATIVE." All references in this Municipal Code or in any other ordinance, resolution, document, policy or manual of the Village to "Village Administrator", "Village Manager" or "Chief-of-Staff" are hereby deleted, and the term "Mayor or the Mayor's representative" shall be substituted therefore.

ARTICLE 3 -- DIRECTOR OF FINANCE AND ADMINISTRATION

Section 3-301. DEPARTMENT CREATED. There is hereby created the Department of Finance and Administration which shall consist of the Director of Finance and Administration and such other employees as may be authorized from time to time by the President and Board of Trustees to provide for the necessary administrative support services required for all Village operations.

Section 3-302. FUNCTION. The Department of Finance and Administration shall have responsibility for the management and control of all monies coming to the Village from any source. The Department shall maintain such records and accounts as are required to properly document both the receipt and expenditure of all Village funds. In addition, the Department shall maintain a division of purchasing, a payroll division, budgeting division and such other divisions as may from time to time be authorized by the President and Board of Trustees to properly control such administrative functions as may be assigned to the Department to insure compliance with policies and procedures established by the Village Manager and the President and Board of Trustees.

Section 3-303. DEPARTMENT DIRECTOR -- OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION CREATED -- APPOINTMENT AND REMOVAL. There is hereby created the office of Director of Finance and Administration, an executive position of the Village. The Director of Finance and Administration shall be appointed by the Village President with the advice and consent of the Board of Trustees for an indefinite term. He shall be chosen on the basis of his administrative and financial qualifications, with special reference to his experience in or knowledge of accepted practice pertaining to the duties of his office as hereinafter set forth. The Director may be removed from office by the Village President with the consent of the Board of Trustees at any time, upon the following procedure being effectuated. The Village President shall notify the Director that he intends to recommend to the Board of Trustees that said Director be removed from office. The Director then may, within 72 hours, demand written charges or a written statement of the reasons for removal, which the Village President shall furnish to the Director within fifteen (15) days after the filing of such request. During this period, the Director may be suspended from office with or without pay. The Board of Trustees may act upon the President's recommendation: a) at the expiration of said 72 hour period specified herein, if the Director has not demanded written charges or a written statement, or; b) after the submission by the Village President of said written charges or a written statement if a demand has been made by said Director as specified herein. The action of the President and Board of Trustees in removing the Director shall be final. (Ordinance No. 85-47 - 8.27.85)

Section 3-304. DIRECTOR OF FINANCE AND ADMINISTRATION OR DEPUTY TREASURER TO ACT AS TREASURER. In addition to the duties specifically assigned to him by this Code and the ordinances of the Village, the Director of Finance and Administration shall have all the duties and powers which are assigned by any statute of the State of Illinois or any code, ordinance or resolution of this Village to the office of treasurer. The duties and powers aforesaid may be delegated by the Director of Finance and Administration to the Deputy Treasurer, which Deputy Treasurer shall be appointed by the Village Manager. (Ordinance No. 85-47 - 8.27.85)

Section 3-305. DUTIES.
(A) **Control.** The Director of Finance and Administration, under the supervision of the Village Manager, shall exercise control and supervision over all employees assigned to the office of the Director of Finance and Administration and to exercise general supervision over all officers and employees of the Village charged in any manner with the receipt, collection or disbursement of the Village revenue, or with the collection and return of the Village revenue into a treasury, as to such duties.

(B) Financial Records. The Director of Finance and Administration shall be charged with preparing and keeping all financial records of the Village, which records shall be at the times subject to inspection by the Village Manager, the Village President and any member of the Board of Trustees.

(C) Purchases. Subject to the supervision and approval of the Village Manager, the Director of Finance and Administration shall make all purchases of materials, supplies or equipment for the Village authorized by the Board of Trustees, in the manner provided by law and subject to the limitations imposed by law.

(D) Current Accounts. The Director of Finance and Administration shall keep a separate current account of each fund and appropriation, showing the debits and credits belonging to each such account and the unexpended balance for each account, and shall keep all other accounts necessary to show at all times the fiscal condition of the Village, including the current and anticipated revenues and expenses of all Village funds and accounts.

(E) Monthly Account. Prior to the tenth day of each month, the Director of Finance and Administration shall render an account under oath to the President and Board of Trustees showing the state and balance of the Village treasury at the close of the preceding month and showing all receipts and expenditures of the Village. He shall accompany the account with a statement of all monies received into the treasury and on what account together with all warrants redeemed and paid by him. On the day he renders an account, such warrants together with all vouchers held by him shall be delivered to the Village Clerk and filed, together with the account, in the Clerk's office.

(F) Annual Account. Prior to the 1st day of September of each year, the Director of Finance and Administration shall prepare and file with the Village Clerk an account of all monies received and expenditures incurred during the preceding fiscal year. Such account shall be in the form required by, and shall be subject to, all the provisions of Sections 3-10-5.1 through 3-10-5.4, inclusive, as from time to time amended, of the Illinois Municipal Code.

(G) Appropriation and Levy Ordinances. The Director of Finance and Administration shall be the Budget Officer and shall be responsible for preparing drafts of the annual budget (appropriation) and levy ordinance in time for their passage, approval and filing as required by law. At least 45 days prior to the date set for the filing of the annual budget (appropriation) ordinance, he shall submit to the Village Manager and corporate authorities a report of his estimate, as nearly as may be, of the money necessary to defray the expenses of the Village during the next fiscal year. For the purpose of making this report, he is authorized to require all officers and employees to submit statements of the condition and expenses of their respective offices or departments, with any proposed Village improvements and the probable expense thereof, all unperformed contracts, and the amount of all unexpended appropriations of the preceding year.

In this report, he shall (1) classify the different objects and purposes of expenditure, giving, as nearly as may be, the amount required for each and showing for each the corresponding expenditure during the current fiscal year; (2) show the source and amount of all income anticipated for the next fiscal year and realized during the current fiscal year; (3) show the amount of liabilities upon which interest is to be paid; (4) show the bonds and debts payable during the year and the date when due and payable; and (5) give such other information to the corporate authorities as he deems necessary so that the corporate authorities may fully understand the demands upon the Village afore the next fiscal year.

(H) Register of Warrants and Vouchers. The Director of Finance and Administration shall keep a register of all warrants, orders and vouchers filed with him or paid by him. The register shall describe each such item and shall show its date, amount and number, the fund from which paid, the name of the person to whom paid, and the date when paid.

(I) Record of Bonds. The Director of Finance and Administration shall keep in his office, in books used solely for that purpose, a correct list of all the outstanding bonds of the Village, showing the number and amount of each, and for and to whom the bonds were issued. When Village bonds are purchased, paid or cancelled, his books shall so indicate.

(J) Special Assessment Funds. All money received on any special assessment shall be held by the Director of Finance and Administration as a special fund, to be applied to the payment of the improvement for which the assessment was made, and the money shall be used for no other purpose, except to reimburse the Village for money expended for such improvement. The Director of Finance and Administration shall keep a separate account of funds applicable to each special assessment improvement.

(K) Deposit of Funds. The Director of Finance and Administration shall keep, and shall from time to time deposit, all funds and money of the Village in his possession which are not necessary for current operations in the depositories designated for such purpose from time to time by ordinance of the Village. Such deposits and depositories shall be subject to the limitations and provisions of Section 3-10-3 of the Illinois Municipal Code, as from time to time amended.

(L) The Director of Finance shall advise the Mayor and Board of Trustees of the financial condition and future needs of the Village and make such recommendations regarding financial matters as he deems appropriate. (Ordinance 01-206, 12.18.01)

(M) The Director of Finance shall prepare and submit to the Board the annual budget. (Ordinance 01-206, 12.18.01)

(N) The Director of Finance shall prepare and submit to the Board, after the close of each fiscal year, a complete report of the finances and activities of the Village for that year. (Ordinance 01-206, 12.18.01)

(O) The Director of Finance shall purchase all materials, supplies, and equipment for which funds are provided for in the budget, provided that no purchase shall be made, contract let, or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation therefore by the Board of Trustees, and further, provided that the authority of the Director of Finance to authorize purchase orders or contracts, or to expend the funds of the Village shall be subject to the limitations of Chapter 8, Article 5 of this Code. The Director of Finance shall advise the Board of Trustees as to whether or not any contract offered is desirable, or which of several contracts is most desirable for the Village. (Ordinance 01-206, 12.18.01)

(P) The Director of Finance shall be the Budget Officer and shall be responsible for preparing drafts of the annual budget (appropriation) and levy ordinance in time for their passage, approval and filing as required by law. At least 45 days prior to the date set for the filing of the annual budget (appropriation) ordinance, he shall submit to the corporate authorities a report of his estimate, as nearly as may be, of the money necessary to defray the expenses of the Village during the next fiscal year. For the purpose of making this report, he is authorized to require all officers and employees to submit statements of the condition and expenses of their respective offices or departments, with any proposed Village improvements and the probable expense thereof, all unperformed contracts, and the amount of all unexpended appropriations of the preceding year. (Ordinance 01-206, 12.18.01)

In this report, he shall (a) classify the different objects and purposes of expenditure, giving, as nearly as may be, the amount required for each and showing for each the corresponding expenditure during the current fiscal year; (b) show the source and amount of all income anticipated for the next

fiscal year and realized during the current fiscal year; (c) show the amount of liabilities upon which interest is to be paid; (d) show the bonds and debts payable during the year and the date when due and payable; and (e) give such other information to the corporate authorities as he deems necessary so that the corporate authorities may fully understand the demands upon the Village before the next fiscal year. (Ordinance 01-206, 12.18.01)

(Q) The Director of Finance shall perform such other duties as may from time to time be prescribed by the Mayor or his designated representative. (Ordinance 01-206, 12.18.01)

Section 3-306. PAYMENT OF BILLS. The Director of Finance and Administration shall pay to any person designated in any warrant lawfully drawn upon him and properly signed by two of the following: Village President, Village Manager, Deputy Treasurer and Village Clerk, the amount specified in such warrant, but such payment shall be made only out of funds in his possession properly appropriated for such payment.

The Director of Finance and Administration shall prepare each month a warrant for the payment of all sums due from the Village, listing each item and the account out of which it is payable, which warrant when properly signed by any two of the following: Village President, Village Manager, Deputy Treasurer and Village Clerk, shall authorize the issuance of a voucher or check, as provided by law, for the payment of each item.

No item shall be included in such warrant unless it has been authorized by the Board of Trustees. A list of all items to be paid shall be submitted to the Board of Trustees before the warrant is submitted to the President or Manager for his signature. Such list shall contain the statement of the Director of Finance and of the Village Manager to the effect that all items contained therein are proper expenses due from the Village for services performed or materials furnished to the Village. Approval for such list of items to be paid by the Board of Trustees on a roll call vote shall constitute the Board of Trustees' approval of the payment of all expenses listed thereon; provided that the Board may in the motion to approve payment except specific items from such approval, in which case such items shall not be paid.

Section 3-307. REVENUES. The Director of Finance and Administration shall receive all license fees, permit fees, charges for municipal utility services, charges for the use of Village property or special services rendered by the Village, sums due the Village on any contracts, and all other sums and monies due or belonging to the Village, either directly from the person paying the money or from the hands of such other officer or employee as may receive it. He shall give every person paying money to him a receipt therefore specifying the amount paid, the date of payment and upon what account paid. It shall be the duty of the Director of Finance and Administration to keep the Board informed as to all sums due on taxes, accumulations in the motor fuel account to the credit of the Village, and all other revenues to which the Village is entitled.

Section 3-308. PERSONAL USE OF FUNDS. The Director of Finance and Administration shall keep all money belonging to the Village in his custody separate and distinct from his own money, and he shall not use, either directly or indirectly, the Village's money or warrants in his custody for his own use and benefit, or that of any other person.

Section 3-309. BOND. The Director of Finance and Administration shall give a bond before entering upon his duties of his office, in the amount of five million dollars, for the current year, with sureties to be approved by the Board. This bond shall be conditioned upon the faithful performance by the Director of Finance and Administration of his duties and shall be conditioned to indemnify the

Village for any loss by reason of neglect of duty or any act of the Director of Finance and Administration. (Ordinance No. 85-39 - 7.23.85)

ARTICLE 4 -- VILLAGE COLLECTOR

Section 3-401. OFFICE CREATED. There is hereby created the office of Village Collector. The Director of Finance and Administration shall hold the office of Village Collector and shall perform the duties required thereof. The Director of Finance may delegate duties of the Village Collector to the Deputy Village Collector, which Deputy Village Collector shall be appointed by the Village Manager.

Section 3-402. TERM. The Village Collector shall serve for a term of one year and until his successor shall be duly appointed and qualified.

Section 3-403. RECORDS, ACCOUNTING, DISPOSITION AND POSSESSION OF FUNDS.

(A) The Village Collector shall preserve all warrants returned to him and shall keep his books and accounts in such a manner as may be prescribed from time to time by statutes of the State of Illinois and accepted accounting practices. All of the Village Collector's warrants, books and vouchers, and all papers pertaining to his office, may be examined at any reasonable time by the Village President, by any member of the Board of Trustees, and by the Village Manager.

(B) The Village Collector shall keep records showing all monies received by him and the source from which it is received.

(C) The Village Collector is prohibited from keeping the Village's money in his possession, or in the possession of any other person for his personal use. Any violation of this provision shall subject the Village Collector to immediate removal from office.

Section 3-404. ANNUAL REPORT. Between the first and tenth of April of each year, the Village Collector shall prepare a statement of (1) all monies collected by him during the year; (2) the particular warrant, special assessment or account on which collected; (3) the balance of monies uncollected on all warrants in his possession; and (4) the balance remaining uncollected on any warrants returned to the Village Clerk during the preceding fiscal year. The Village Collector shall file one copy of such statement with the records of the Village Clerk and shall transmit one copy to the President and Board of Trustees and one copy to the Village Manager. Within ten days of the date of such statement, the Village Clerk shall publish the statement at least once in one or more newspapers published in the Village or, if no newspaper is published therein, in one or more newspapers with a general circulation within the Village.

Section 3-405. BOND. The Village Collector shall give a bond before entering upon the duties of his office, in the amount of five million dollars, for the current year, with sureties to be approved by the Board. This bond shall be conditioned upon the faithful performance by the Village Collector of his duties and shall be conditioned to indemnify the Village for any loss by reason of neglect of duty or any act of the Village Collector.
(Ordinance No. 85-40 - 7.23.85)

ARTICLE 5 -- DEPARTMENT OF COMMUNITY DEVELOPMENT

Section 3-501. DEPARTMENT ESTABLISHED. There is hereby established a Department of Community Development, which shall consist of a Director of Community Development, the Planning and Zoning Division, the Division of Building Inspection and Code Enforcement, and such other sections or divisions as from time to time may be authorized by the President and Board of Trustees and assigned to the Department of Community Development.

Section 3-502. FUNCTION. The Department of Community Development shall have responsibility in the areas of community development, including zoning and development code enforcement, building code and maintenance code enforcement, housing and neighborhood preservation, project coordination, community planning, and such other duties related to overall community development as from time to time may be authorized by the President and Board of Trustees.

The Department shall be responsible for the overall planning and development of the Village including the maintenance of current Zoning Map, Official Map and Comprehensive Plan of the Village; the preparation of special studies and the provision of information on the physical, social and economic characteristics of the Village, its individual neighborhoods, and the unincorporated area within its planning jurisdiction; the coordination of new development proposals and project approvals; the review and inspection of building construction and property maintenance; and such other duties as may be prescribed from time to time by the Village Manager.

Section 3-503. OFFICE OF DIRECTOR CREATED - APPOINTMENT, REMOVAL, TERM AND DUTIES.

(A) There is hereby created the office of Director of Community Development. The Director shall be appointed by the President with the advice and consent of the Board of Trustees, for an indefinite term. The Director may be removed from office by the Village President with the consent of the Board of Trustees at any time, upon the following procedure being effectuated. The Village President shall notify the Director that he intends to recommend to the Board of Trustees that said Director be removed from office. The Director then may, within 72 hours, demand written charges or a written statement of the reasons for removal, which the Village President shall furnish to the Director within fifteen (15) days after the filing of such request. During this period, the Director may be suspended from office with or without pay. The Board of Trustees may act upon the President's recommendation: a) At the expiration of said 72 hour period specified herein, if the Director has not demanded written charges or a written statement, or; b) After the submission by the Village President of said written charges or a written statement if a demand has been made by said Director as specified herein. The action of the President and Board of Trustees in removing the Director shall be final.

The Director shall report to the Village Manager and, under the Manager's supervision, shall have control and supervision over all employees assigned to the Department of Community Development.

As Director, he shall advise and make recommendations to the Plan Commission on matters relating to the growth and development of the Village. In addition to the powers enumerated in Section 3-508, 509, and 510 below, the Director shall have the powers delegated to such position or subordinate positions by ordinances of the Village, plus such other duties as may be prescribed from time to time by the Village Manager.

(B) The Village Manager shall serve as the exofficio Director of Community Development until this position is filled by the President and Board of Trustees in the manner described above. (Ordinance No. 84-9, 02.28.84)

Section 3-504. DIVISION OF PLANNING AND ZONING CREATED. There is hereby established within the Department of Community Development a Division of Planning and Zoning, which will operate under the supervision of the Planning and Zoning Administrator, who shall report to the Director of Community Development. The Division shall recommend long range plans for the Village and review all projects, plans and applications to insure compliance with all ordinances of the Village concerning zoning, subdivision and development requirements.

Section 3-505. OFFICE OF PLANNING AND ZONING ADMINISTRATOR - APPOINTMENT - TERM - DUTIES. There is hereby created the office of Planning and Zoning Administrator, who shall be appointed by the Director of Community Development with the approval of the Village Manager and shall be removed at any time by the Community Development Director with the approval of the Village Manager. The Planning and Zoning Administrator shall be a regular employee of the Village. The Planning and Zoning Administrator shall have control and supervision over all employees assigned to the Division of Planning and Zoning, subject to the supervision of the Director of Community Development.

Section 3-506. DIVISION OF BUILDING INSPECTION AND CODE ENFORCEMENT CREATED. There is hereby established within the Department of Community Development a Division of Inspection. The Division shall be under the supervision of the Building Commissioner who shall report to the Director of Community Development. The Division shall be responsible for the enforcement of all building, plumbing, electrical, mechanical and property maintenance codes of the Village. The Division shall review all plans for the construction, reconstruction, or alteration of any structure in the Village, and shall inspect such construction to insure that all work is done in compliance with the Village's building, plumbing, electrical, mechanical, and such other codes or ordinances as may from time to time be approved by the President and Board of Trustees.

Section 3-507. OFFICE OF BUILDING COMMISSIONER - APPOINTMENT - TERM - DUTIES. There is hereby created the office of Building Commissioner. The Building Commissioner shall be appointed by the Director of Community Development with the approval of the Village Manager and shall be removed by the Community Development Director with the approval of the Village Manager. The Building Commissioner shall be a regular employee of the Village. The Building Commissioner shall have control and supervision over all employees assigned to the Division of Building Inspection and Code Enforcement, subject to the supervision of the Director of Community Development.

Section 3-508. STOP WORK ORDERS - ZONING AND DEVELOPMENT CODES. The Director of Community Development or the Planning and Zoning Administrator shall have the power to order all work to be stopped on any building or structure where such work is being done in violation of any provision of the Village Zoning Ordinance or Development Code. Such stop orders may be given orally, and may be enforced when so given, provided, however, that any oral stop work order shall be followed by a written order within two (2) hours. All work that is stopped shall not be resumed except upon permission of the Planning and Zoning Administrator in any case involving the zoning or development ordinances. Written stop orders may be served by any Police Officer or by any Community Development Department employee and may be served by personal service or by posting on the premises affected.

Section 3-509. STOP-WORK ORDERS - BUILDING AND CONSTRUCTION CODES.

The Director of Community Development and the Building Commissioner shall have the power to order all construction, alteration, or repair work to be stopped on any building, plumbing, or electrical installation in the Village when such work is being done in violation of any provision of any Village ordinance or any National Code adopted by the Village by reference. Such stop orders may be given orally and may be enforced when so given provided, however, that any oral stop order will be followed by a written order within two (2) hours. All work thus stopped shall be not resumed except upon the permission of the Building Commissioner. Written stop orders may be served by any Police Officer or by any Community Development Department employee, and may be served by personal service or by posting on the premises affected.

Section 3-510. INSPECTORS AND OFFICERS AUTHORIZED.

The Director of Community Development shall employ and supervise building, plumbing, electrical, and mechanical inspectors and property maintenance code enforcement officers as shall be authorized from time to time by the President and Board of Trustees. The employment of inspectors and officers shall be subject to the approval of the Village Manager.

ARTICLE 6 -- DEPARTMENT OF PUBLIC WORKS

Section 3-601. DEPARTMENT CREATED. There is hereby established the department of Public Works which shall consist of the Director of Public Works, a division of streets, a division of water and sewer, the electrical division and such other divisions as from time to time may be authorized by the President and Board of Trustees and assigned to the Department of Public Works. (Ordinance No. 87-26, 4.28.87)

Section 3-602. FUNCTION. The Department of Public Works shall be responsible for the repair, care and maintenance of all public streets, alleys and driveways, the combined public water supply distribution and sanitary sewerage treatment and storm sewer collection systems owned or operated or maintained by the Village, street lighting and street signalization, plus the care of all property of the Village which is not assigned to the care or custody of any other officer.

Section 3-603. DEPARTMENT DIRECTOR -- DIRECTOR OF PUBLIC WORKS -- APPOINTMENT AND REMOVAL. There is hereby created the Office of Director of Public Works who shall be appointed by the President with the advice and consent of the Board of Trustees. Such appointment shall be for an indefinite term. The Director may be removed from office by the Village President with the consent of the Board of Trustees at any time, upon the following procedure being effectuated. The Village President shall notify the Director that he intends to recommend to the Board of Trustees that said Director be removed from office. The Director then may, within 72 hours, demand written charges or a written statement of the reasons for removal, which the Village President shall furnish to the Director within fifteen (15) days after the filing of such request. During this period, the Director may be suspended from office with or without pay. The Board of Trustees may act upon the President's recommendation: a) At the expiration of said 72 hour period specified herein, if the Director has not demanded written charges or a written statement, or; b) After the submission by the Village President of said written charges or a written statement if a demand has been made by said Director as specified herein. The action of the President and Board of Trustees in removing the Director shall be final. (Ordinance No. 87-26, 04.28.87)

Section 3-604. DUTIES AND POWERS. The Director of Public Works under the supervision of the Village Manager, shall have charge of (1) the repair, care, and maintenance of all public streets, alleys and driveways; (2) the combined public water supply and distribution and sanitary sewage and storm sewer collection and treatment systems owned or operated or maintained by the Village; (3) the lighting of public streets and alleys and shall keep the lighting system in efficient operation and good repair; (4) the care of all property of the Village which is not assigned to the care or custody of any other officer; (5) shall advise the President and Board of Trustees generally and specifically on public works matters as the same pertain to the programs and problems of the Village; (6) shall have supervision of all employees assigned to work with him in the performance of his duties; and (7) such other duties as may be prescribed from time to time by the Village Manager. The Director of Public Works may employ personnel for the Public Works Department provided that such positions have been authorized by the President and Board of Trustees and such employment has been approved by the Village Manager. (Ordinance No. 87-26, 04.28.87)

Section 3-605. SUPERINTENDENT OF STREETS. Wherever the Bolingbrook Municipal Code refers to the Superintendent of Streets, the said term shall be understood to mean the Director of Public Works . (Ordinance No. 87-26, 4.28.87)

ARTICLE 7 -- LEGAL DEPARTMENT

Section 3-701. DEPARTMENT CREATED. There is hereby created a Legal Department of the Village of Bolingbrook which shall consist of the office of Village Attorney and the office of Village Prosecutor.

Section 3-702. FUNCTION. It shall be the function of the Legal Department to prosecute or defend any and all suits or actions of law or equity to which the Village may be a party or which it may be interested, to provide legal advice and consultation to all elected and appointed Village Officials and to prosecute all alleged violations of the traffic ordinances of the Village and such other violations of the codes and ordinances of the Village as the Board of Trustees may authorize.

Section 3-703. VILLAGE ATTORNEY AND VILLAGE PROSECUTOR -- APPOINTMENT AND REMOVAL. The offices of Village Attorney and Village Prosecutor shall be filled by an appointment made by the Village President with the advice and consent of the Board of Trustees, of persons competent to carry out the duties of said offices. Such appointments shall be for an indefinite term. The Village Attorney and the Village Prosecutor may be removed from office by the Village President with the advice and consent of the Board of Trustees. The Village President, with the advice and consent of the Board of Trustees, may also retain special counsel to advise or represent the Village on special matters.

Section 3-704. DUTIES OF VILLAGE ATTORNEY. The Village Attorney shall prosecute or defend any and all suits or actions at law or equity to which the Village may be a party or in which it may be interested, or which may be brought against or by any officer of the Village on behalf of the Village or in the capacity of such person as an officer of the Village; provided, however, that the Village Prosecutor shall prosecute all violations of traffic ordinances of the Village and such other violations of Village ordinances as the Board of Trustees may provide; and further provided, nothing contained in this Section 3-704 shall be deemed to preclude the defense of actions seeking to assert a monetary liability against the Village by counsel selected and retained by the insurance carrier of the Village or to request that the Village Attorney prosecute or defend any particular suit or action at law or in equity referred to in this Section 3-704.

(A) **Advice.** The Village Attorney shall be the principal legal advisor of the Village and shall render advice on all legal questions affecting the Village whenever requested to do so by any Village officer. Upon request by the Village President or the Board of Trustees he shall reduce any such opinion to writing.

(B) **Judgements.** It shall be the duty of the Village Attorney to see to the full enforcement of all judgements or decrees entered in favor of the Village and all similar interlocutory order.

(C) **Special Assessments.** It shall be the duty of the Village Attorney to see to the completion of all special assessment proceedings and condemnation proceedings.

(D) **Legal Questions Affecting the Village.** It shall be the duty of the Village Attorney to render advice on legal questions affecting the Village and to prepare ordinances, resolutions, and legal instruments whenever requested to do so by any Village officer, and to provide such other legal counsel and services as the Village President or Board of Trustees may from time to time specify.

Section 3-705. DUTIES OF THE VILLAGE PROSECUTOR. It shall be the duty of the Village Prosecutor to prosecute all violations of the traffic ordinances of the Village and such other

violations of the Codes and ordinances of the Village as the Board of Trustees may authorize or direct.

Section 3-706. APPROVAL OF SURETY BONDS. All bonds required by law or ordinance to be submitted to and approved by the Board of Trustees shall first be submitted to the Village Attorney who shall examine said bonds. If in his judgment the bonds are properly drawn and are legal and binding obligations, he shall endorse the same with his approval; if they are not, he shall endorse his disapproval thereon together with his reasons therefore.

Section 3-707. COMPENSATION. The Village Attorney and the Village Prosecutor shall be compensated either on an annual retainer basis or on a per hour of work basis, whichever is mutually agreed to by each Officer and the President and Board of Trustees.

Section 3-708. CONTRACTS. Notwithstanding anything in this Article 7 to the contrary, the positions of Village Attorney and Village Prosecutor are hereby designated as independent positions, which may be filled by the Village President and Board of Trustees through the employment of independent contractors for each such position, by execution of contracts therewith for periods of three (3) years. (Ordinance No. 84-073, 12.11.84)

ARTICLE 8 -- VILLAGE ENGINEER

Section 3-801. POSITION CREATED. There is hereby created a position of the Village of Bolingbrook which shall be known as Village Engineer. The Village Manager may employ a Village Engineer, provided the filling of such position has been authorized by the President and Board of Trustees.

SECTION 3-802. DUTIES AND POWERS. The Village Engineer, under the supervision of the Village Manager, shall have the following specific duties and powers:

(A) The Village Engineer, when directed by the Village Manager shall advise the President and Board of Trustees generally and specifically on engineering matters as the same pertain to the programs and problems of the Village.

(B) Inspections and Permits. The Village Engineer shall inspect or supervise the inspection of all subdivision and other public improvements within the Village as frequently as may be necessary to ensure compliance with the applicable ordinances and codes of the Village, and he shall have the authority to enforce all provisions and ordinances of the Village relating to improvements and the construction thereof. He shall also issue such permits as may be required from time to time by the ordinances and codes of the Village.

(C) Stop Orders.

(1) The Village Engineer shall have the power to order all work stopped on the construction, alteration or repair of any streets or roads, storm and sanitary sewers, storm swales, manholes and inlet structures, curbs and gutters, sidewalks, water mains, land clearance, trenching, excavating, pipe installation, cable installation, street and parking lot light pole installation, and similar improvements, including the barricading of areas or streets, and the use of equipment which could cause damage to pavement and other surface or buried items or utilities in the Village when such work is being done in violation of any provisions of any of the Village ordinances or codes. Such stop orders shall be given in writing and may be enforced when served in the manner provided in this Section 3-802.C(1). All work thus stopped shall not be resumed except upon the written permission of the Village Engineer. Stop orders may be served by any Public Works employee and may be served by personal service on any person who is supervising or is responsible for the work affected by the order or by posting on the premises on which the work is taking place.

(2) The Village Engineer shall have the power to order all construction work or repair work to be stopped on any project within the Village right of way when such work is being done in violation of Chapter 22 of the Municipal Code. Such stop orders shall be given in writing and may be enforced when served in the manner provided in Section 3-802.C(1) above. All work thus stopped shall not be resumed except upon the written permission of the Village Engineer.

(D) Entry powers. The Village Engineer and his designees shall have the power to make or cause to be made, at any reasonable hour, entry into any building site premises where the work of altering or constructing any right of way improvement is going on for the purpose of making inspections.

(E) Special Engineers. The Village Engineer may retain special engineers from time to time to advise and/or represent the Village on special matters or to assist him, subject to the approval of the Village Manager. (Ordinance No. 87-026, 4.28.87)

(Entire Article 9 enacted by Ordinance 91-069, 06.25.91)

ARTICLE 9 -- PUBLIC SAFETY DIRECTOR

Section 3-901. POSITION CREATED. There is hereby created a position of the Village of Bolingbrook which shall be known as Public Safety Director. The Village Administrator may employ or serve as Public Safety Director, provided the filling of such position has been authorized by the President and Board of Trustees. The Public Safety Director shall hold the rank of Lieutenant in the Bolingbrook Police Department.

Section 3-902. DUTIES AND POWERS. The Public Safety Director shall have the following specific duties and powers:

(A) The Public Safety Director shall have overall responsibility for coordinating the activities of the Police Department, Fire Department and emergency services within the Village.

(B) The Public Safety Director shall advise the Village President and Board of Trustees generally and specifically on policies and procedures which, if adopted by the Village, would enhance public safety.

(C) The Public Safety Director shall perform such other duties and responsibilities in the field of public safety as may be directed by the President and Board of Trustees.

ARTICLE 10 -- DEPARTMENT OF INFORMATION TECHNOLOGY

Section 3-1001. DEPARTMENT CREATED. There is hereby created a Department of Information Technology, which shall consist of the Director of Information Technology and such other employees as may be authorized by the Mayor and Board of Trustees.

Section 3-1002. FUNCTION AND RESPONSIBILITIES. The Department of Information Technology shall have primary responsibility for development, installation and maintenance of the Village's information technology systems, including the following:

(A) Implementation and management of strategic technology initiatives to meet the overall goals for Village services established by the Mayor and Board of Trustees.

(B) Interfacing with all Village departments to determine short and long term Village-wide information technology needs (including hardware, software, training, and personnel), development and presentation of appropriate budget recommendations to the Mayor and Village Board, administration and monitoring of Village-wide technology budgets.

(C) Management, evaluation, design, implementation and support of all approved technology platforms and applications utilized by the Village and coordination of Village-wide technology training programs.

(D) Interfacing with other governmental agencies on strategic technology initiatives that enhance Village services and foster intergovernmental operational efficiency.

Section 3-1003. OFFICE OF DIRECTOR CREATED – APPOINTMENT, TERM, REMOVAL AND DUTIES.

(A) There is hereby created the office of Director of Information Technology. The Director shall be appointed by the Mayor with the advice and consent of the Board of Trustees for an indefinite term.

(B) The Director may be removed from office by the Mayor with the consent of the Board of Trustees at any time upon the following procedure being effectuated. The Mayor shall notify the Director that he intends to recommend to the Board of Trustees that said Director be removed from office. The Director then may, within 72 hours, demand written charges or a written statement of the reasons for removal, which the Mayor shall furnish to the Director within 15 days after the filing of such request. During this period, the director may be suspended from office with or without pay. The board of Trustees may act upon the Mayor's recommendation:; (a) at the expiration of said 72 hour period specified herein, if the Director has not demanded written charges or a written statement, or (b) after the submission by the Mayor of said written charges or a written statement if a demand has been made by said Director as specified herein. The action of the Mayor and Board of Trustees in removing the Director shall be final.

(C) The Director shall report to the Mayor or his designee and, under the Mayor's or designee's supervision, shall have control and supervision over all employees assigned to the Department of Information Technology, and shall be responsible for performance of the duties and responsibilities set forth within this Article.