

**CHAPTER 5**  
**LAW ENFORCEMENT**

<b><u>Ordinance</u></b>		<b><u>Date Passed</u></b>
007	The Police Department	01.12.66
073	Amendment to Ordinance #5 (Organization)	08.23.67
115	Department created.	10.16.68
241	Auxiliary Policemen.	11.23.70
325	Amending Article One - Police Department.	04.05.72
75-071	Reserve Police Officers.	09.09.75
79-041	Creating of Office of Deputy Chief	07.24.79
80-043	Amending Sections 5-106 and 5-107 Regarding the Hiring of Animal Control and Ordinance Officer by Police Chief Rather than by Board of Trustees	08.12.80
81-021	Amendment Regarding Ordinance Enforcement	06.23.81
82-009	Amending Chapter 5 "Law Enforcement" in its Entirety	02.09.82
95-082	Amending Deputy Chief and Creating Police	05.23.95
98-079	Police Department Organization	07.14.98
00-124	Amending to Add Residency Requirement for Appointive Police Department Positions	07.25.00
01-084	Designating the Number of Officers and Members or the Police Department	05.22.01
02-057	Amending Chapter 5, Article 1 (Police Dept. Reorganization)	05.28.02
03-118	Amending for Police Department Organization	09.09.03
06-053	Amending re Administrative Penalties & Fees	05.09.06
06-073	Amending for Police Dept. Organization	07.11.06
06-103	Amending for Police Dept. Organization	09.26.06
07-070	Police Dept. Organization	07.12.07
07-096	Amending Chapter 5, Article 1 (Deputy Police Chief)	08.15.07
09-048	Amending Number of Patrol Officers	07.14.09

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**CHAPTER 5 -- LAW ENFORCEMENT**

**ARTICLE 1 -- THE POLICE DEPARTMENT**

**Section 5-101. DEPARTMENT CREATED.** (Amended in its entirety by Ordinance 09-048, 07.14.09) A department of the government of the Village to be known as the Police Department is hereby established, which shall consist of the Chief of Police and such other officers and members as may be provided for from time to time by the Mayor and Board of Trustees by ordinance duly adopted.

<u>POSITION</u>	<u>NUMBER</u>
Chief	1
Deputy Chief	1
Police Commanders	3
Lieutenants	7
Sergeants	14
Patrol Officers	93

**Section 5-102. FUNCTION.** The primary objectives of the Police Department shall be: to suppress crime; to protect life and property; the preservation of law and order; the enforcement of the criminal and traffic laws of the State of Illinois and the criminal and traffic laws of the Village of Bolingbrook; the detection and apprehension of criminal and traffic offenders; the recovery of stolen property and such other duties and responsibilities as may from time to time be imposed by law.

**Section 5-103. DEPARTMENT DIRECTOR -- POLICE CHIEF -- APPOINTMENT AND REMOVAL.** There is hereby created the Office of Police Chief, the Department shall be under the control and supervision of the Police Chief, who shall be appointed by the President, with the advice and consent of the Board of Trustees. 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 Police Chief need not be a member of the Department at the time of his appointment.

**Section 5-104. POWERS OF THE POLICE CHIEF.** The Police Chief shall, under the supervision of the Village Manager, organize the Department in such manner as he may deem necessary to efficiently and properly conduct the duties and responsibilities prescribed by law. He shall prescribe and enforce such administrative rules and regulations as may be necessary to carry out the provisions of the ordinances of this Village and any other law, the enforcement and administration of which are vested in the Department. The Police Chief is hereby authorized to

establish and execute personnel rules and regulations within the Department so as to effectively administer his responsibilities.

**Section 5-105. APPOINTMENTS TO POLICE DEPARTMENT.** The Board of Fire and Police Commissioners shall appoint all members of the Police Department, except the Chief of Police and Deputy Chief of Police. The appointments by the Board of Fire and Police Commissioners shall be in conformance with the provisions of Article 4, Chapter 4, of this Code and the Rules and Regulations of the Board of Fire and Police Commissioners as approved and amended by the Village Board of Trustees.

**Section 5-106. CUSTODY OF STOLEN PROPERTY.** The Police Chief, or his designated representative, shall be custodian of all lost, abandoned or stolen personal property in the Village.

**Section 5-107. SERVING PROCESSES.** The Police Chief, or his designated representative, shall be authorized to serve writs, summons and other processes. This section may be implemented by administrative regulations promulgated by the Police Chief.

**Section 5-108. WITNESS FEES.** Every member of the Police Department shall appear as a witness whenever this is necessary in a prosecution for a violation of a Village ordinance or a state or federal law. But no such member shall receive any witness fee for such service in any action or suit to which the Village is a party; all fees due for such services shall, if paid, be turned over to the Village Treasurer.

**Section 5-109. POSITION OF DEPUTY POLICE CHIEF CREATED.** Amended by Ordinance 07-096, 08.15.07. There is hereby created the Office of Deputy Police Chief. The Deputy Police Chief shall be appointed by the Police Chief with the approval of the Mayor and Village Board of Trustees. The candidate shall be a member of the Bolingbrook Police Department. He shall receive such compensation as shall be fixed by the Mayor and Board of Trustees.

**Section 5-110. DUTIES OF THE DEPUTY POLICE CHIEF.** Amended by Ordinance 07-096, 08.15.07. The Deputy Police Chief shall, in the absence of the Police Chief, assume all the duties and responsibilities of the office of Police Chief.

**Section 5-111. POSITION OF ASSISTANT POLICE CHIEF CREATED.** Repealed in its entirety by Ordinance No. 07-096, 08.15.07.

**Section 5-112. POSITION OF POLICE COMMANDER CREATED.** (Ordinance No. 03-118, 09.09.03) There is hereby created the position of Police Commander. There shall be no more than three (3) Police Commander positions without the prior approval and authorization of the Mayor and Board of Trustees. Police Commanders shall be appointed by the Police Chief with the approval of the Mayor and Board of Trustees and shall be removed from office by the Police Chief at any time with the approval of the Mayor and Board of Trustees. All candidates for the position of Police Commander shall be Lieutenants in the Bolingbrook Police Department. The Police Commanders shall receive such compensation as shall be fixed by the Mayor and Board of Trustees.

A Police Commander shall have overall responsibility for the supervision, operation and delivery of police services for a patrol unit, investigations unit or support unit.

**Section 5-113. POSITION OF POLICE INSPECTOR CREATED.** There is hereby created the position of Police Inspector. There shall be no more than one (1) Police Inspector position without the prior approval and authorization of the Mayor and Board of Trustees. The Police Inspector shall be appointed by the Police chief with the approval of the Mayor and Board of Trustees and shall be removed from office by the Police Chief at any time with the approval of the Mayor and Board of Trustees. All candidates for the position of Police Inspector shall be Lieutenants in the Bolingbrook Police Department. The Police Inspector shall receive such compensation as shall be fixed by the Mayor and Board of Trustees.

A Police Inspector shall have responsibility for the development, implementation and inspection of uniform policies and procedures for delivery of police services, shall serve as an advisor to the Chief of Police re budgetary and labor negotiation matters, and for such other duties as may be assigned by the Police Chief. (Ordinance No. 02-057, 05.28.02)

**Section 5-114. APPOINTIVE POSITION RESIDENCY REQUIREMENT.** All persons serving in the appointive Police Department positions of Chief of Police, Deputy Chief, Assistant Police Chief and Police Commander shall reside and have their domiciles within the corporate limits of the Village of Bolingbrook at all times from and after their appointment to any of the aforesaid positions. Notwithstanding the foregoing, any person serving in an appointive Police Department position as of July 1, 2000 (i.e., Chief, Deputy Chief, Assistant Chief or Commander) who did not reside and have his domicile in the Village on July 1, 2000 or any person appointed Deputy Chief, Assistant Police Chief, Police Captain, or Police Inspector within thirty (30) days of May 28, 2002 who does not reside and have his domicile in the Village on May 28, 2002 may continue to reside outside of the Village; provided, however, if such person thereafter changes his residence or domicile, his new residence and domicile shall only be within the corporate limits of the Village of Bolingbrook. (Ordinance No. 03-118, 09.09.03)

## **ARTICLE 2 -- RESERVE POLICE OFFICERS**

**Section 5-201. CREATION-APPOINTMENTS.** There is hereby created a Police Reserve unit, the membership of which shall consist of citizens residing within the Corporate limits of the Village. The Chief of Police shall have the authority to appoint those persons who meet the requirements as designated below.

**Section 5-202. COMPENSATION.** The Reserve Police Officers shall not receive compensation from the Village of Bolingbrook for their services except where they are given special additional work assignments approved by the office of the Chief of Police. In that event, said Reserve Police Officers shall receive hourly compensation as set by the Chief of Police.

**Section 5-203. STIPULATIONS OF SERVICE.** Reserve Police Officers shall not be members of the regular Police Department of the Village nor shall they support members of the regular Police Department in the performances of their assignments and normal duties, except as otherwise provided in this article. Identification symbols of the Reserve Police Officers shall be different and distinct from that worn by the members of the regular Police Department of the Village. Reserve Police Officers shall at all times during the performance of their duties be subject to the direction and control of the Chief of Police.

**Section 5-204. FIREARM REGULATION.** Reserve Police Officers shall not carry firearms except with the special permission of the Chief of Police, and then only when in uniform and when in the performance of their duties. All Reserve Police Officers shall be trained in the use of firearms.

**Section 5-205. DUTIES - POWERS.** Reserve Police Officers when properly assigned and on duty shall also be conservators of the peace and shall be authorized:

1. To arrest, or cause to be arrested, with or without process, all persons who break the peace or are found violating any municipal ordinance or any criminal law of the State.
2. To commit arrested persons for examination.
3. If necessary, to detain arrested persons in custody in any safe place, or until they can be brought before the proper magistrate.
4. To serve and execute all warrants for the violation of municipal ordinances or the State criminal law within the limits of the Village and for this purpose to have all the common law and statutory powers of sheriffs.
5. To aid or direct traffic within the municipality.
6. To aid in control of natural or man made disasters.
7. To aid in case of civil disorders.
8. To perform normal and regular police duties in cases which render it impractical for members of the regular police department to perform the normal and regular police duties and in which the Chief of Police of the Village has assigned such regular police duties to Reserve Police Officers.

9. To exercise all other powers as conservators of the peace that the corporate authorities may prescribe.

**Section 5-206. TRAINING.** Prior to assuming any of their duties, Reserve Police Officers shall receive a course of training in the use of weapons and other police procedures by the other members of the Bolingbrook Police Department. Such training and course of study shall be reviewed by the Chief of Police of the Village, and such course of training shall not be less than 40 hours in duration. Upon completion of the course of training, the Chief of Police shall cause to be placed in the individual's personnel file a certificate of completion.

**Section 5-207. FINGERPRINTING/BACKGROUND CHECK.** Prior to appointment of any Reserve Police Officers, their fingerprints shall be taken and a thorough background check shall be conducted by the Bolingbrook Police Department personnel.

**Section 5-208. RULES.** Reserve Police Officers shall be subject to all the rules and regulations as outlined in the Bolingbrook Police Department Manual.

**ARTICLE 3 -- BAIL BONDS**

**Section 5-301. FEES FOR BAIL BOND ADMINISTRATION.** (Added in its entirety by Ordinance 06-053, 05.09.06) The Police Department shall charge a fee of fifty dollars (\$50.00) for posting bail or bond in any legal process, civil or criminal, or on any bookable arrest, including a warrant.