

Chapter 42

LAW ENFORCEMENT*

Article I. In General

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***Cross references**—Administration, ch. 2; civil emergencies, ch. 26; emergency services, ch. 30; offenses and miscellaneous provisions, ch. 46; traffic and vehicles, ch. 78.

ARTICLE I. IN GENERAL

Secs. 42-1—42-30. Reserved.

ARTICLE II. POLICE DEPARTMENT*

Sec. 42-31. Created.

There is hereby created a police department of the village which shall consist of a chief of police and such other members as the board of trustees may from time to time prescribe.
(Code 1977, § 3.11(a))

Sec. 42-32. Chief of police.

The chief of police shall be appointed by the village president by and with the consent of the board of trustees. The chief of police shall be in charge of the police department and all members thereof shall be subject to his orders. The chief of police may make rules for the functioning of the police department, subject to the approval of the board of trustees. The chief of police shall keep such records and make such reports of the activities of the department as may be required by statute or ordinance. The chief of police shall be keeper of the village jail and shall have custody of all persons incarcerated therein.
(Code 1977, § 3.11(b))

Cross reference—Officers and employees, § 2-91 et seq.

State law reference—Similar provisions, 65 ILCS 5/10-2.1-1.

Sec. 42-33. Duties.

The members of the police department shall enforce the ordinances of the village and laws of the state effective in the village. They shall preserve order, prevent infractions of the law, and arrest violators of the law or ordinances of the village.
(Code 1977, § 3.11(c))

Sec. 42-34. Police pension fund; board of trustees.

There shall be a police pension fund established by the village, as provided by law. A board composed of five residents of the village shall

***Cross reference**—Departments, § 2-311 et seq.

constitute the board of trustees of the police pension fund. Members of the board of trustees of the police pension fund shall be appointed and elected as provided by state statute. The board of trustees of the police pension fund shall have the powers and duties prescribed by state statute.
(Code 1977, § 3.11(d))

State law references—Created, 40 ILCS 5/3-101; board of trustees, 40 ILCS 5/3-128.

Sec. 42-35. Community service officer position created; duties.

There is hereby created in the police department of the village, the position of community service officer. A community service officer is a uniformed, unarmed, noncivil service member of the police department engaged in public service, telecommunications, administrative and ordinance enforcement duties within the police department. The chief of police with the advice and consent of the village administrator and village board may appoint community service officers in such numbers as the village board shall from time to time deem necessary. Community service officers shall be members of the police department, but not subject to village civil service commission rules and regulations and not members of the police pension fund.

- (1) No applicant may be appointed as a community service officer if he has been convicted of a felony, serious misdemeanor or other crime involving moral turpitude. An applicant for the community service officer program shall: be a United States citizen; be at least 18 years of age; submit to a physical examination to ensure sufficient physical fitness to perform required duties; have the minimum of a high school education, diploma or recognized documented equivalent; have a valid class A state driver's license; and possess adequate writing and communication skills necessary to perform the functions of this position.
- (2) Each community service officer shall take an oath of office.
- (3) Community service officers shall receive on the job training as deemed necessary by the chief and deputy chief of police and

shall receive such course of instruction in the use of materials, communications equipment, and other police procedures as shall be appropriate in the exercise of the powers and duties conferred upon them, and from time to time, attend special training seminars as shall be deemed necessary by the chief or deputy chief of police.

- (4) Community service officers shall be assigned to perform all the duties in the police department as delineated in the village police department operation manual - "Duties of Community Service Officer(s)," and as such job description may be revised and incremented upon by the chief of police. Community service officers shall not be assigned to calls of a criminal nature, or which require attention by a sworn, state-certified police officer, or which in the discretion of the supervisor, would constitute a hazard for an unarmed officer, to include but not limited to: crimes in progress, fights in progress, alarms, traffic stops, calls requiring follow up investigation by state certified police officers, investigators, or juvenile officers, domestic trouble or neighbor disputes, noisy parties, or suspicious persons.
- (5) Community service officers shall have the power and duty to enforce the following terms and provisions of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq., the Code of Ordinances relating to certain traffic and parking regulations, and certain quasi criminal regulations of the village, and similar village park district ordinances. The chief of police may further specify, revise and increment upon specific ordinance enforcement powers of the community service officers in addition to those delineated in this section as changes in state law, or village and village park district ordinances may occur. This shall be accomplished by the power to issue village police warning tickets, notices of ordinance violations tickets, and traffic/nontraffic citations, commensurate with

police department rules, regulations and guidelines published in the village police department manual of procedures:

- a. Pursuant to village Ordinance 41.01, which adopts the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.; community service officers enforcement duties include the following sections of 625 ILCS 5/4-201 et seq., lost/stolen/unclaimed/abandoned vehicles; 625 ILCS 5/11-1001—5/11-1011 et seq., pedestrians rights and duties; 625 ILCS 5/11-1301—5/11-1306, et seq., stopping, standing and parking; 625 ILCS 5/11-1501—5/11-1514, bicycles; and Article II through VII, of the Snowmobile Registration and Safety Act, 625 ILCS 40/2-1—40/7-1.
 - b. Village ordinances: chapter 14, animals; outdoor fires, chapter 34, article V; noise due to animals, section 46-34; nuisances, chapter 46, article VI; peddlers and solicitors, chapter 50; solid waste, chapter 62; traffic and vehicles, chapter 78.
 - c. All regulatory, noncriminal Gurnee Park District ordinances under chapter IX to exclude section 9.04 (assaults and battery); section 9.10 (disorderly conduct); section 9.26 (weapons), and under chapter 10, traffic, community service officers shall enforce all parking ordinances under section 10.14; impounding of vehicles under section 10.15; unattended motor vehicles under section 10.16; and parking lots under section 10.18.
- (6) All community service officers issuing citations for the violation of an ordinance of the village shall attend as witnesses before the courts where the trial may be had, and shall procure all necessary evidence in their power, and furnish a list of witnesses to the court and the village attorney. No community service officer shall be entitled to any witness fees to be

taxed against the village in any action for the violation of an ordinance where the village is plaintiff.

- (7) Community service officers shall wear the uniform designated by police department rules, regulations and general orders. The uniform shall be different than that worn by the state certified, sworn, police officers of the department. The elected method of uniform allowance for the community service officer shall be according to the quartermaster system as administered by the police department, or through uniform allowance, if so desired by the chief of police, allotted in the police department budget.
 - (8) Community service officers shall be, in addition to village rules and regulations, subject to the rules and regulations of the police department in the same manner as the regular police officers. Community service officers shall not be entitled, however, to review in disciplinary, promotional, or other matters before the village civil service commission.
 - (9) When authorized by the village board, one community service officer may be appointed by the chief of police, with the advice and consent of the village administrator, to perform the duties of "police property custodian" as such duties may be defined and required by the chief of police. Said duties shall include, but not be necessarily limited to, the care and custody of physical evidence held by the police department in furtherance of its law enforcement activities.
 - (10) The chief of police under advisement of the village administrator and president of the board of trustees shall determine through its annual budget, the compensation for community service officers. Benefits for community service officers are determined by the sections set forth in the village personnel policy manual.
- (Code 1977, § 3.11(e); Ord. No. 2002-106, § 2, 3, 11-18-2002)