

ORDINANCE NO. 2011-27

AN ORDINANCE AMENDING CHAPTER 46, "LAW ENFORCEMENT," OF THE ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS BY REPLACING THE CURRENT LANGUAGE IN ARTICLE II, SECTION 46-39, "AUXILIARY POLICE," WITH THE LANGUAGE SET FORTH HEREIN

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENT AS FOLLOWS:

WHEREAS, the Village of Stickney (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village of Stickney wishes to seek to ensure that all auxiliary police officers are properly trained under state law; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEE OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Chapter 46, Article II, Section 46-39, "Auxiliary Police," of the Municipal Code of the Village of Stickney shall be amended by deleting the current language and replacing the same with the following:

Sec. 46-39. Auxiliary Police

- (A) Establishment of position. There is hereby created the position of auxiliary police officer for the Police Department of the Village. As used herein, **AUXILIARY POLICE OFFICER** means a law enforcement officer without conservator of the peace powers. An Auxiliary police officer must successfully complete the 40-hour Mandatory Firearms Training Course and any other testing or training as required by the Police Department of the Village and the Illinois Law Enforcement Training and Standards Board, as from time to time supplemented and amended.
- (B) Appointment. The Chief of Police may appoint an auxiliary police officer with the approval of the Village President and Board of Trustees to serve the law enforcement needs of the Village. The Village shall not have more than (24) auxiliary police officers. An auxiliary police officer will be employed on a part-time basis and shall not function on a full-time basis. An auxiliary police officer shall be considered an "at will" employee subject to removal at any time without notice or hearing. Nothing in this section shall be construed to provide the Village auxiliary police officers with a contract or property right.
- (C) Status in the Department; authority of the Chief of Police
- (1) An auxiliary police officer appointed pursuant to this section shall not be a member of the regular Police Department, shall not supplement regular members of the Police Department and shall not supervise or direct any member of the Police Department.
 - (2) An auxiliary police officer shall perform duties as deemed necessary by the Chief of Police to serve the law enforcement needs of the Village. An auxiliary police officer shall at all times during the performance of duties be subject to the direction and control of the Chief of Police or his designee.

- (3) An auxiliary police officer does not possess “conservator of the peace” powers, and nothing contained in this section, or this Code shall be construed to provide otherwise.
- (4) No full-time sworn police officer of another municipality shall become an auxiliary police officer for the Village.
- (D) Residency requirement. An auxiliary police officer must be a citizen of the United States and shall reside within (20) miles of the Village prior to and all times during his or her appointment.
- (E) Uniforms and identification symbols. The uniform and identification symbols worn by an auxiliary police officer shall be different and distinct from those uniforms and symbols used by regular members of the Police Department of the Village, and shall be selected and chosen by the Chief of Police.
- (F) Firearms. An auxiliary police officer may carry a firearm with the permission of the Chief of Police upon successful completion of required firearms and certification as from time to time determined by the Illinois Law Enforcement Training and Standards Board and the Police Department of the Village. Firearms will be carried only by an auxiliary police officer when in uniform, in the performance of assigned duties.
- (G) Training. An Auxiliary police officer must be able to successfully complete and pass all requirements for an auxiliary police officer as administered by the Illinois Law Enforcement Training and Standards Board and as required by the Village. An auxiliary police officer may be required to attend additional training and Department firearms qualifications as deemed necessary by the Chief of Police or his designee.
- (H) Powers and Duties. An auxiliary police officer shall be bound by all applicable rules, regulations, policies and procedures, and command orders of the Police Department. Auxiliary police officers will have the following powers and duties when properly assigned and on duty:
- (1) To aid in the control and direction of traffic;
 - (2) To aid in control of natural or man-made disasters;
 - (3) To aid in case of civil disorder;
 - (4) To aid in crowd control and other functions relating to festivals, parades, celebration and gathering; and
 - (5) To perform other duties as assigned by the Chief of Police of his designee.
- (I) Qualifications. In order to be appointed as an auxiliary police officer for the Village the following qualifications must be met:
- (1) Must be a minimum of 21 years of age;
 - (2) Must be in sound health and physically able to perform assigned duties;
 - (3) Must provide fingerprints and submit to a background investigation, have no felony arrests or convictions or convictions of crime involving moral turpitude;
 - (4) Must have a high school diploma or G.E.D., must have the ability to read, write, speak and understand the English language;
 - (5) Must possess a valid Illinois Drivers License with a good driving record;
 - (6) Must possess a valid F.O.I.D card.

Section 3. Home Rule. This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

Section 5. Conflicts. This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Certification and Publication. The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois this 6th day of December, 2011


AYES: Trustees Mares, Morelli, Schimel, Walik, White, and Zeedyk

NAYS: _____

ABSENT: _____


ABSTAIN: _____

APPROVED by me this 7th day of December, 2011



President Daniel A. O'Reilly of the Village
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this 7th day of December, 2011



Audrey McAdams
Clerk of the Village of Stickney, Cook County, Illinois