



Incorporated in 1869

Village of Rochester

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-11

**AN ORDINANCE AMENDING THE VILLAGE OF ROCHESTER CODE OF
ORDINANCES**

DAVID L. ARMSTRONG, Village President
LYNN LANGDON, Village Clerk

MARIBETH EANDI
HAROLD HENDRICKSON
JOE HILL
WAYNE LIKEN
STACIA MUNROE
DOUG ZOBRIST
Village Trustees

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Rochester

on April 11, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 16-11

**AN ORDINANCE AMENDING THE VILLAGE OF ROCHESTER
CODE OF ORDINANCES**

WHEREAS, 65 ILCS 5/1-2-1 provides that the corporate authorities may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fine or penalties as may be deemed proper; and

WHEREAS, the Village of Rochester Code of Ordinances (“Code”) Chapter 30 Article II, Division I established Police Department; and

WHEREAS, the Village wishes to amend the maximum hours worked for a part-time police officer in 30-2-17(k); and

WHEREAS, the Village wishes to specify that part-time police officers shall be restricted to working not more than one thousand (1,000) hours; and

WHEREAS, the President and the Board of Trustees of the Village of Rochester, Illinois, believe it is in the best interest of the Village to amend the Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROCHESTER, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals. The above recitals are incorporated herein by this reference as if specifically stated in full.

Section 2. Amendment of Code. Chapter 30 of the Village of Rochester Code of Ordinance is hereby amended as follows:

ARTICLE II – POLICE DEPARTMENT

DIVISION I - DEPARTMENT ESTABLISHING

30-2-17 PART-TIME POLICE OFFICER

(A) There is hereby established in the Village the position of part-time police officer. Part-time police officers shall serve the Village as employees at will.

(B) The Chief of Police may appoint part-time police officers as employees, in such number as the President and the Village Board shall approve and pursuant to the Personnel Code. The Chief of Police shall have the authority to discharge part-time police officers as provided in the Personnel Code. Part-time police officers shall be members of the regular Police Department, subject to the Personnel Code, except for pension and other benefits as may be provided to other Village employees.

(C) Prior to appointment, part-time police officers shall be subject to a background check, including without limitation, fingerprint verification by the Federal Bureau of Investigation and the Illinois State Police. No person shall be hired as a part-time police officer unless he or she is a person of good character and is not a person who has been convicted of a felony or crime involving moral turpitude.

(D) Part-time police officers shall be assigned to perform duties by the Chief of Police. Primary duties shall include prevention and detection of crime and enforcement of the criminal code, traffic, and highway laws of the State of Illinois, the Village of Rochester ordinances, and all other applicable laws, rules, ordinances and regulations. Every part-time police officer shall obey the orders and directions of the Chief of Police and any supervising officer. Part-time police officers shall at all times during the performance of their duties be subject to the direction, control and discipline of the Chief of Police.

(E) Part-time police officers may be hired by the Village, as authorized by Section 3.1-30-21 of the Illinois Municipal Code (65 ILCS 5/3.1-30-21), in accordance with the following hiring standards:

- (1) The applicant must be a U.S. citizen;
- (2) The applicant must be twenty-one (21) years of age or older;

- (3) The applicant must possess a high school diploma or GED equivalency;
- (4) The applicant must have a valid driver's license;
- (5) The applicant must have eyesight of 20/20, or correctable to 20/20;
- (6) The applicant must not be colorblind;
- (7) The applicant must have no felony convictions, or any violations (whether conviction or other dispositions where a finding of guilty was made) of other crimes involving moral turpitude as determined solely by the Village (See 50 ILCS 705/6.1 and 65 ILCS 5/10-2.10-6 for list of disqualifying misdemeanor offenses);
- (8) The applicant must meet all standards set forth in 430 ILCS 65/.01 et seq., pertaining to the Firearms Owners Identification Act; and
- (9) The hiring standards for part-time police officers, as set forth hereinabove, shall be submitted by the Chief of Police to the Illinois Law Enforcement Training Standards Board.

(F) No person shall be retained as a part-time police officer who has not achieved certification from the Illinois Law Enforcement Training and Standards Board (the "Board") in the manner required by the Village, including successful completion of police officer training pursuant to the Intergovernmental Law Enforcement Officer's In-Service Training Act, 50 ILCS 720/1 et seq., in accordance with the procedures for part-time police officers established by the Illinois Law Enforcement Training Standards Board. Every part-time police officer, prior to entering into any duties, also shall receive not less than forty (40) hours of training within the Police Department, including, without limitation, police procedures, laws of arrest, search and seizure, deadly force, traffic law, criminal code and any other pertinent training issues covering rules and regulations, directives, and policies and procedures. Part-time police officers shall familiarize themselves with and be subject to and obey all ordinances and other rules, regulations, policies and procedures governing the conduct and operation of the Police Department of the Village, including but not limited to the Personnel Code.

(G) Violation of any of the rules, regulations, policies and procedures of the Police Department or of any of the provisions of the Village Code of Ordinances shall subject a part-time officer to disciplinary action up to and including termination of his or her appointment.

(H) Part-time police officers shall be paid an hourly wage as determined by the Village Board for each hour of service that is performed at the direction of the Chief of Police, or the Chief's designee.

(I) Part-time police officers shall be considered employees of the Village and, as employees, shall be covered by the Village's worker's compensation insurance.

(J) Part-time police officers shall not be used as permanent replacements for permanent full-time police officers. (Ord. No. 11-06; 04-11-11)

(K) Number of Work Hours. Part-time police officers shall be restricted to working not more than one thousand (1,000) hours for the Village within a calendar year. (Ord. No. 13-09; 06-10-13).

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal & Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Rochester prior to the effective date of this ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 11 day of April, 2016, at Rochester, Sangamon County,

Illinois.

	YES	NO	ABSENT	PRESENT
MARIBETH EANDI	X			
HAROLD HENDRICKSON	X			
JOE HILL	X			
WAYNE LIKEN			X	
STACIA MUNROE	X			
DOUG ZOBRIST	X			
DAVID ARMSTRONG			X	
TOTAL	5	0	2	

APPROVED by the President of the Village of Rochester, Illinois this 11 day of April, 2016.


DAVID L. ARMSTRONG, Village President

Attest:


LYNN LANGDON, Village Clerk