
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2018-O-26**

**AN ORDINANCE OF THE VILLAGE BOARD, VILLAGE OF WILLOW SPRINGS
AMENDING TITLE 2 OF THE WILLOW SPRINGS VILLAGE CODE**

JOHN M. CARPINO, President

MARY JANE MANNELLA, Clerk

**THOMAS E. BIRKS
TERRANCE M. CARR
MICHAEL C. KENNEDY
MELISSA N. NEDDERMEYER
FRED POSCH
KATHRYN STANPHILL**

TRUSTEES

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Tressler LLP – Village Attorneys – 2600 East 107th Street, Bolingbrook, Illinois 60440**

VILLAGE OF WILLOW SPRINGS

ORDINANCE 2018 – O – 26

**ORDINANCE OF THE VILLAGE BOARD, VILLAGE OF WILLOW SPRINGS
AMENDING TITLE 2 OF THE WILLOW SPRINGS VILLAGE CODE**

**BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF WILLOW SPRINGS,
ILLINOIS:**

SECTION 1: That, Title 2 (Departments), Chapter 1 (Police Department) of the Village of Willow Springs Code is amended hereby in its entirety; and shall be and read as follows:

2-1-1: DEPARTMENT CREATED:

There is hereby created a police department for the Village of Willow Springs which shall consist of:

- A. A Chief of Police, appointed by the Village President with the advice and consent of the Board of Trustees.
- B. Reserved.
- C. A number of Police Sergeants as determined by the President and Board of Trustees through the annual appropriation ordinance.
- D. A number of Police Corporals as determined by the President and Board of Trustees through the annual appropriation ordinance.
- E. A number of patrol officers as determined by the President and Board of Trustees through the annual appropriation ordinance.
- F. A number of part-time police officers, auxiliary police officers, community service officers, secretaries and clerks as determined by the President and Board of Trustees through the annual appropriation ordinance.

2-1-2: APPOINTMENT; PROMOTION AND DISCIPLINE:

- A. All employees of the Police Department set forth in 1-2-1(F) shall be appointed and may be disciplined or discharged by the Chief of Police in consultation with the Village Administrator.

- B. The powers of promotion, discharge or suspension of patrol officers, Sergeants and Corporals shall be in accordance with the rules and regulations of the Board of Fire and Police Commissioners or any collective bargaining agreements then in place, as the case may be.

2-1-3: RANK OF OFFICERS

The Chief of Police shall be the head of the department and shall have supervision over all officers and members thereof. Following him in rank shall be: Sergeants in order of seniority, Corporals in order of seniority and patrol officers in order of seniority.

2-1-4: CHIEF OF POLICE; DUTIES AND RESPONSIBILITIES:

- A. The Chief of Police shall be answerable to the President through the office of the Village Administrator and shall be responsible for the management, administration and general supervision of the personnel, equipment, facilities and operations of the Police Department. He shall be strictly responsible for the general good order of the Department and attaining and retaining the maximum efficiency and effectiveness from the personnel, equipment and facilities assigned to him.
- B. He shall prepare and submit to the Village Administrator an estimate of the total cost and expense of providing for and maintaining the police department of the village during the ensuing fiscal year, which estimates shall be submitted in the form and time required by the Village Administrator.
- C. He shall prepare and submit to the village administrator an annual report which will include a listing of all police related incidents that may have taken place in the village during the preceding fiscal year.
- D. He shall be the keeper of the village jail and shall have custody of all persons incarcerated therein.
- E. He shall keep such records and make such reports concerning the activities of the department as may be required by state statute, local ordinance, or as may be directed by the village administrator.
- F. He shall be responsible for the performance by the police department of all its functions, and all persons who are members of the department shall serve subject to the orders of the police chief.

- G. He shall be the custodian of all lost, abandoned or stolen property in the village.
- H. He shall keep records of the names of all persons arrested, all persons committed to the village jail, and all accidents which occur upon the public way within the village limits.
- I. He shall keep records of all felonies and misdemeanors committed in the village.
- J. He shall make such rules and regulations for the conduct and guidance of the police department personnel as the police chief shall deem advisable and such rules and regulations shall be binding on such members. Police department personnel are also covered by the personnel rules and regulations of the village.
- K. Nothing in this section shall be construed as limiting the authority of the Chief to assign such functions or responsibilities as are necessary to establish and maintain maximum Departmental efficiency and effectiveness.

2-1-5: RESERVED.

2-1-6: SPECIAL DIVISIONS:

With the approval of the president and board of trustees, the chief of police may establish a detective division or other special divisions within the police department, assigning police officers to such division and designating duties therefor as may be deemed necessary.

2-1-7: COMMUNITY SERVICE OFFICER:

- A. Position Established: The position of community service officer is hereby established. The chief of police shall have the authority to hire such number of community service officers as provided for within the annual appropriation. The chief of police shall have the power to hire, fire and discipline all community service officers. A community service officer is a uniformed, unarmed, civilian member of the police department utilized to assist sworn police officers through the performance of nonlaw enforcement duties and through the enforcement of village ordinances.
- B. Rules And Regulations: Community service officers shall be subject to such rules, regulations, procedures and orders as promulgated by the chief of police.

C. Responsibilities: The duties of the community service officer shall include:

1. Assistance to the public.
2. Enforce ordinance violations involving parking, vehicle tag, animals, nuisances, business code, vending machines, garbage and refuse. Reporting of violations of other ordinances as observed by a community service officer.
3. Process noncriminal complaints.
4. Patrol to observe and enforce parking regulations.
5. Write reports as required by supervisory personnel.
6. Provide traffic related services that include assisting patrol officers with traffic control regarding utility complaints or failures, school crossing details, parades, special events, traffic surveys and Metra traffic detail.
7. Transport department vehicles and equipment for service, repair, fueling and washing.
8. Pick up and delivery of bank deposits and documents.
9. Provide desk relief and food pick up for on duty records clerk. Provide relief on desk when needed and monitor prisoners.
10. Authorize the towing of abandoned vehicles on private property and public highways in accordance with department policy and provisions of the Illinois vehicle code.
11. Provide assistance in various community relations/crime prevention programs.
12. Provide assistance at special events.
13. Assist motorists.
14. Perform any other nonhazardous duties as required or assigned by supervisory personnel, the Village Administrator or the Village President.

15. Limitations: The actions of community service officers shall be limited as follows:
 - a) Shall not handle cases involving the investigation of a criminal matter other than in specified situations to assist a sworn officer.
 - b) Shall not carry a firearm.
 - c) Shall not have arrest powers, and shall not assume police powers or police authority at any time except as specifically directed.
 - d) Shall not fingerprint prisoners unless authorized by a supervisor.
 - e) Shall not be assigned to solicitor complaints, suspicious persons or vehicles, alarm calls, open doors, traffic stops, domestic disturbances, fights in progress, loud parties, bar checks, crimes in progress, or any other call that might constitute a hazard for an unarmed officer.
16. Shall immediately notify a police supervisor and request a decision from said supervisor regarding any incident he is handling if circumstances indicate a sworn police officer is needed.
17. Shall obey all traffic laws while on duty.
18. Shall operate emergency equipment (e.g., overhead lights) only after his vehicle is stationary and positioned (e.g., motorist assists, traffic accidents, traffic control) or with supervisory approval. At no time shall a vehicle be driven with emergency equipment activated.

2-1-8: CROSSING GUARDS:

- A. Directions And Orders: Crossing guards will be under the direction of the police department, shall receive orders from the chief of police and operate at the direction of and in cooperation with any police officer assisting at a crossing. Crossing guards are not to be considered full time employees.
- B. Rights And Duties:
 1. All regular guards will be required to be on duty the first day of school or within a five (5) day period thereafter.

2. Regular guards will have the right to request a corner that is vacant, with seniority being given preference.
3. Only duly appointed alternate guards will serve in the absence of a regular guard.
4. Alternate guards will have the right to become regular guards if a crossing becomes available and will be given the opportunity according to their seniority as alternates.

2-1-9: DUTIES, CONDUCT OF MEMBERS:

- A. It shall be the duty of the members of the police department to see to the enforcement of all of the ordinances of the village and all statutes applicable therein; and to preserve order, prevent infractions of the law and arrest violators thereof.
- B. It shall be the duty of every member of the police department to conduct himself in a proper and law abiding manner at all times, and to avoid the use of unnecessary force. Each member of the department shall obey the orders and direction of his superior.

2-1-10: SERVICE OF PROCESS:

No member of the police department, except the chief of police, shall serve any process except on command of the chief of the police.

2-1-11: WITNESS FEES:

Every member of the police department shall appear as a witness whenever this is necessary in a prosecution for a violation of an ordinance of the village or of any state or federal law. No member shall retain any witness fee for service as witness in any action or suit to which the village is a party. Any fees paid for such services shall be turned over to the chief of police who shall deposit the same with the village treasurer.

2-1-12: RULES AND REGULATIONS:

The Chief of the Police may make or prescribe such rules and regulations as he shall deem necessary and advisable. Such rules, shall be binding upon the members of the police department and may cover the conduct of the members, uniforms and equipment to be worn or carried, and all other matters necessary or desirable for the better efficiency of the department. A copy of every rule shall be delivered to the office of the Village Clerk and shall be made available to every employee of the Police Department.

2-1-13: REWARDS OF MEMBERS:

The chief of police, for meritorious service rendered by any member of the police force in the due discharge of his duty, may permit such member to retain for his own benefit, so far as he may be permitted by law, any reward or present tendered him therefor, and it shall be cause of removal for any member of the force to receive any such reward or present without notice thereof to the chief and without his permission.

2-1-14: COMPENSATION:

Compensation of all employees of the Police Department shall be set by the President and Board of Trustees.

SECTION 2: That, Title 2 (Departments), Chapter 2 (Public Works) of the Village of Willow Springs Code is amended hereby in its entirety; and shall be and read as follows:

2-2-1: DEPARTMENT CREATED:

There is hereby established a department of public works which shall be under the supervision of a Director of Public Works. The department of public works shall have supervision of street and alley maintenance and repairs, garbage collection and disposal, sewer maintenance service and maintenance, and such other services as the village board may from time to time designate.

2-2-2: DIRECTOR OF PUBLIC WORKS:

The President shall appoint a Director of Public Works with the advice and consent of the Board of Trustees who shall have the following duties:

- A. The Director of Public Works shall have supervision over all buildings and equipment used in the furnishing of water and sewerage in the village and shall see that the object and purposes of the water and sewer department are carried out, and that the waterworks and sewerage system is conducted on an economical, businesslike basis, and for this purpose it shall be the duty of the Director of Public Works and all of the officers, employees and servants of said department to enforce all the provisions of this chapter and to observe and obey and carry out the orders and directions of the village board. He shall prepare and keep in his office a complete atlas of the waterworks operated by the West Suburban Water Commission, sewerage systems with all valves and hydrants, water service connections and other appurtenances distinctly

recorded therein.

- B. The Director of Public Works shall, at least once per month, or more often if required, submit a report in writing to the Village Administrator of the activities of and matters connected with his office.
- C. The Director of Public Works, or such officer or employee of the department as he shall direct, shall review permits for driveway cuts on village roads, and permits for any work to be conducted in village rights-of-way and shall perform such other duties as now are or may hereafter be imposed upon him by law or the ordinances of the village.

2-2-3: PUBLIC WORKS FOREMAN:

The Director of Public Works, in consultation with the Village Administrator, shall appoint one person to serve as Public Works Foreman who shall have general supervisory authority subject to the direction of the Director of Public Works.

2-2-4: EMPLOYEES:

The Director of Public Works, in consultation with the Village Administrator, may appoint a number of full time, part time and temporary maintenance workers as determined by the President and Board of Trustees through the annual appropriation ordinance.

2-2-5: COMPENSATION:

The compensation for all employees of the Department of Public Works shall be established by the President and Board of Trustees.

SECTION 3: That, Title 2 (Departments), Chapter 3 (Building and Zoning) of the Village of Willow Springs Code is amended hereby in its entirety; and shall be and read as follows:

2-3-1: DEPARTMENT CREATED:

There is hereby created and established an executive department of the village which shall be known as the building and zoning department which shall include a Building Commissioner and such subordinates and officers as the President and Board of trustees may authorize through the annual appropriation ordinance.

2-3-2: BUILDING COMMISSIONER:

- A. The President shall appoint a Building Commissioner with the advice and consent of the Board of Trustees who shall have the following duties:
1. To have general supervisory authority over all other officers and inspectors of the Building and Zoning Department.
 2. To have general charge and supervision of the construction, alteration, repair, raising, lowering, underpinning, moving, wrecking, equipment, use, occupancy and maintenance of buildings, walls, structures or portions thereof and accessories thereto, within the village and enforce all ordinances relating thereto.
 3. To have charge and supervision of all electrical construction, boiler installation and plumbing, heating, ventilating, refrigerating and air conditioning systems and the inspection thereof.
 4. The building commissioner shall examine all plans for building permit purposes. He shall have charge of building inspections on all buildings, structures, or portions thereof in connection with work that has been authorized by a permit from the building and zoning department, including lighting, plumbing, heating, ventilating, refrigerating and air conditioning equipment.
 5. The Building Commissioner shall, at least once per month, or more often if required, submit a report in writing to the Village Administrator of the activities of and matters connected with his office.
 6. The building commissioner shall perform such further duties as the provisions of this code may require.
 7. The building commissioner is a part time position. The salary of the building commissioner shall be established by the President and Board of Trustees.

2-3-3: BUILDING OFFICERS:

- A. The title or phrase, "building officers", where used in this chapter, shall mean and include the building commissioner and all deputies and inspectors in his department as fully and effectually as if each and all of the officers were specifically designated and named in lieu of the title or phrase.

- B. Building officers are hereby empowered to enter lawfully upon any premises or into any building or structure or portion thereof, when necessary to do so in the performance of any duty imposed upon them by this chapter, or any other provision of this code, or by any village ordinance, and it is hereby made unlawful for any person to hinder or prevent or to attempt to hinder or prevent building officers from doing so.

Any person hindering or attempting to hinder, resisting or attempting to resist any building officer in the performance of his duty shall be charged with resisting an officer; and the person convicted of such offense shall be subject to the general penalty provided for violations of this code.

- C. In all cases where any action is taken by the building officers or any other officers of the village to enforce the provisions of any sections contained in this code or to enforce the provisions of any of the laws of the village, whether such action is taken in pursuance of the express provisions of such sections or laws, or in a case where discretionary power is given by this title or any of the laws of the village, such acts shall be done in the name of and on behalf of the village; and the officers, in so acting for the village, do not thereby render themselves liable personally and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any such act committed or permitted in good faith in the discharge of their duty. Any suit brought against the officers, by reason thereof, shall be defended by the village until final determination of the proceedings therein.

SECTION 4: This Ordinance shall not be held to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatsoever affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred to any right accrued to claims arising before this Ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceedings, as far as practicable.

SECTION 5: That if any part or parts of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Village Board declare hereby that they would have passed the remaining parts of this Ordinance, if they had known that such part or parts thereof would be declared unconstitutional.

SECTION 6: The Village Clerk of the Village of Willow Springs is directed hereby to publish this Ordinance in pamphlet form.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

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Ordinance 2018 – O – 26, approved and adopted by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this **26th** day of **April 2018**, pursuant to a roll call vote, as follows:

	PRESENT	ABSENT	YES	NO	ABSTAIN
Trustee Birks	✓		✓		
Trustee Carr	✓		✓		
Trustee Kennedy	✓		✓		
Trustee Neddermeyer	✓		✓		
Trustee Posch	✓		✓		
Trustee Stanphill	✓		✓		
President Carpino		✓			
TOTAL	6	1	6	0	0


 John M. Carpino, Village President

ATTEST:


 Mary Jane Mannella, Village Clerk

Published in pamphlet form by order of the Village Board this 26 day of April, 2018.


 Mary Jane Mannella, Village Clerk

