

**VILLAGE OF GILBERTS**

**ORDINANCE 11-2021**

**AN ORDINANCE AMENDING THE VILLAGE CODE TO ELIMINATE THE POSITION OF DEPUTY CHIEF OF POLICE**

**WHEREAS**, Section 1-8-5.B of the Village Code requires the board of police commissioners to appoint all officers of the police department except the chief of police; and

**WHEREAS**, Section 10-2.1-4 of the Illinois Municipal Code allows the Village Board of Trustees to establish the position of deputy chief of police, to be appointed by the chief of police, as an exempt rank immediately below that of chief; and

**WHEREAS**, in 2019, the Village Board established the position of deputy chief; and

**WHEREAS**, the Village Board has determined that there is no longer a need for the position of deputy chief of police and desires to eliminate the position, as set forth in this Ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS**, as follows:

**SECTION 1. RECITALS.** The recitals set forth above are incorporated into Section 1 as set forth herein.

**SECTION 2. AMENDMENT TO SECTION 1-8-5 OF THE VILLAGE CODE.** Paragraph B, entitled "Appoint Personnel," of Section 1-8-5, entitled "Powers and Duties," of Chapter 8, entitled "Board of Police Commissioners," of Title I, entitled "Administration," of the Village Code is hereby amended as follows (additions in **bold** and underline; deletions in ~~strikethrough~~):

"B. Appoint Personnel: The board of police commissioners shall appoint all officers of the police department, except ~~(i)~~ the chief of police, who shall be appointed by the village president, with the consent of the village board, ~~and (ii) the deputy chief of police, who shall be appointed by the chief of police.~~"

**SECTION 3. SEVERABILITY.** In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

**SECTION 4. REPEAL AND SAVINGS CLAUSE.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall only be effective upon the

passage, approval, and publication in the manner required by law.

**PASSED BY THE BOARD OF TRUSTEES** this 15 day of JUNE, 2021 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Brandon Coats	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Dan Corbett	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Lou Hacker	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee David LeClerq	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Justin Redfield	<input checked="" type="checkbox"/>	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS 15 DAY OF JUNE 2021

  
\_\_\_\_\_  
Guy Zambetti, Village President

  
\_\_\_\_\_  
Courtney Baker, Village Clerk

