

**VILLAGE OF GILBERTS**

**ORDINANCE 14-2024**

**AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 1  
OF THE VILLAGE CODE TO ESTABLISH THE APPOINTED POSITION OF  
DEPUTY CHIEF OF POLICE**

**WHEREAS**, the Village of Gilberts (“Village”) is an Illinois municipality organized and operating in accordance with the Illinois Constitution of 1970 and the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*) (“Code”); and

**WHEREAS**, Section 5(B) of Chapter 8, entitled “Board of Police Commissioners,” of Title 1, entitled “Administration,” of the Village of Gilberts Code of Ordinances 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 the chief; and

**WHEREAS**, on June 18, 2019, the Village Board approved Ordinance 06-2019, establishing the position of deputy chief of police; and

**WHEREAS**, on June 15, 2021, the Village Board approved Ordinance 11-2021, eliminating the position of deputy chief of police, after determining there was no longer a need for the position; and

**WHEREAS**, the Village Board now finds and determines that it is necessary, and in the best interests of the health, safety, and welfare of the Village and its residents that the position of deputy chief of police be re-established to provide support and assistance to the chief of police, thereby improving the efficient and effective operation and administration of the Village’s police department.

**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 foregoing recitals are incorporated as though fully set forth in this Section 1.

**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 1, entitled “Administration,” is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

“1-8-5. – Powers and duties

A. *Generally.* The board of police commissioners shall have such powers and duties as may be prescribed by division 2.1 of article 10 of the Illinois Municipal Code, including the authority to adopt rules and regulations to govern appointments and removals in accordance with division 2.1.

B. *Appoint Personnel.* The board of police commissioner 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.**”

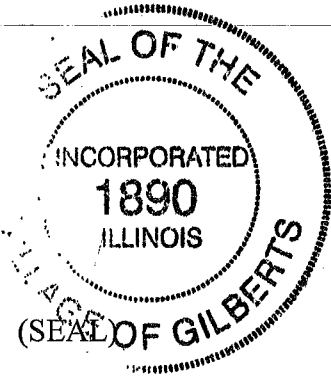
**Section 3. Repealer.** All ordinances, resolutions, or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. Saving Clause.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability thereof shall not affect the validity of the remaining provisions of this Ordinance, and the application thereof, which are hereby declared to be severable to the greatest extent permitted by law.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect upon its passage, and publication required by law.

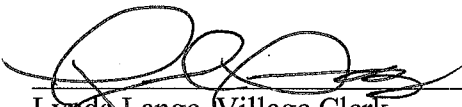
**PASSED BY A VOTE OF THE BOARD OF TRUSTEES** of the Village of Gilberts, Kane County, Illinois, this 21st day of May, 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	<u>X</u>	_____	_____	_____
Trustee Robert Chapman	_____	_____	<u>X</u>	_____
Trustee Robert Vanni	_____	_____	<u>X</u>	_____
Trustee Brandon Coats	<u>X</u>	_____	_____	_____
Trustee Justin Redfield	<u>X</u>	_____	_____	_____
Trustee Frank Marino	<u>X</u>	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____



APPROVED THIS 21st DAY OF MAY, 2024.

  
\_\_\_\_\_  
Guy Lambetti, Village President

ATTEST:   
\_\_\_\_\_  
Lynda Lange, Village Clerk