

CHAPTER 6  
POLICE DEPARTMENT

- 1-6-1: Creation: There is hereby created and established the Village of Holiday Hills Police Department (“the Department”), an executive department of the Village. The Department shall consist of the Chief of Police, one or more sergeants and such other patrol officers and personnel, part-time or full-time, as may be provided from time to time in the annual appropriation ordinance adopted by the Board of Trustees (“the Board”), or as provided in such ordinances as may be from time to time adopted by the Board.
- 1-6-2: Equal Opportunity: In making appointments to the Department, no person shall be deprived of an opportunity to serve on the police department because of age, race, religion, skin color, national origin or sex. No arbitrary rules on height, weight, or achievement of strength unrelated to job needs shall be imposed. No person with a disability (as defined in the Americans with Disabilities Act) shall be denied, merely by virtue of having a disability, appointment to a position in the Department which the person is competent to fill.
- 1-6-3: Compensation within the Department: Compensation for all members of the Department shall be established by the Board in the annual appropriation ordinance or by such other ordinances adopted from time to time by the Board.
- 1-6-4: Duties of Members of Police Department:
- A. It shall be the duty of the members of the Police Department to enforce all ordinances of the Village and all statutes of the State of Illinois effective in the Village. This duty shall be exercised in conformity with law and the rules and regulations of the Department promulgated by the Chief of Police.
  - B. All members of the Department shall be authorized to serve writs, summons and other processes; but no patrolman shall serve any such process, except on the order of a superior officer.
- 1-6-5: Positions of Rank Created:
- A. There is hereby created the rank and position of Chief of Police, who shall be head of the Department.
  - B. There is hereby created the rank and position of Sergeant with the Department.
  - C. The Chief of Police shall be appointed by the Village President, with the advice and consent of the Board.
  - D. The Sergeant shall be appointed by the Village President, with the advice and consent of the Board.

- E. Neither the Chief of Police nor the Sergeant need be a member of the Department at the time of their respective appointments. However, if a member of the Department is appointed Chief of Police, he shall be considered as on furlough from the rank he held immediately prior to his appointment as Chief. If he resigns as Chief, he shall revert to and be established in such prior rank, and thereafter be entitled to all the benefits, authority, and emoluments of such prior rank, without regard as to whether a vacancy then exists in such rank. A former chief who reverts to his or her prior rank shall have a duty to be reasonably available for consultation and advice. Additional duties may be assigned by mutual agreement.
- F. All other sworn members of the Department shall hold the rank and position of patrolman.

1-6-6: Duties of the Chief:

- A. The Chief of Police shall be responsible for the performance by the Department of all its functions, and all persons who are members of the Department shall serve subject to the order of the Chief of Police.
- B. The Chief of Police shall have the custody, care and control of the public property of the Department, subject to the direction of the Village Board, and of all firearms and other equipment.
- C. The Chief of Police shall be the custodian of all lost, abandoned or recovered stolen property of the Village and of all property which may be seized or otherwise taken possession of by the Department of the Village. The disposition of all unclaimed property shall be in accordance with the Rules and Regulations of the Department promulgated by the Chief of Police.
- D. The Chief of Police shall be responsible for the training and evaluation of the members of the Department.
- E. The Chief of Police shall endeavor to preserve the peace, order and safety of the Village, and to this end he shall execute and enforce all ordinances of the Village and all lawful orders of the Village Board.
- F. The Chief of Police shall be the keeper of the Village jail, if any, and shall have the custody of all persons incarcerated therein.
- G. The Chief of Police shall keep a complete record of all arrests, fines and disposition of all calls and investigations.
- H. The Chief of Police shall also keep such records and make such reports concerning the activities of the Department as may be required by statute, this Chapter, the Village President, the Police Committee, and/or the Village Board.

I. The Chief of Police may delegate such duties he deems appropriate to members of the Department.

- 1-6-7: Rules and Regulations: The Chief of Police may make, prescribe, amend, and promulgate from time to time such rules, regulations and General Orders for the conduct and guidance of the members of the Department as he shall deem appropriate, which rules, regulations, and General Orders shall be consistent with this Ordinance and other ordinances of the Village as amended from time to time. Upon the approval from time to time by the Chief of Police of such Rules, Regulations, General Orders, and any amendments thereto, the Chief of Police shall provide a copy thereof to the Village Clerk for distribution to the President and Board of Trustees. Such Rules, Regulations, General Orders and any amendments thereto shall be in full force and effect unless and until they are thereafter rescinded or amended either by the Chief of Police or by the President and Board of Trustees, and determinations by the President and Board of Trustees shall be final on such matters. The Chief of Police shall also be responsible for making, prescribing, promulgating, and maintaining the Policies and Procedures Manual for Department operations and such special orders as he deems appropriate to the administration of the Department. Such Policies and Procedures Manual and special orders shall be in full force and effective upon their approval by the Chief of Police.
- 1-6-8: Conduct of Members: It shall be the duty of every member of the Department to conduct himself or herself in a proper and law abiding manner at all times and in accordance with the Rules and Regulations of the Department, the Policies and Procedures Manual of the Department, and the General Orders and Special Orders issued by the Chief of Police. Each member of the Department shall obey all lawful orders and directions of his superior officer and shall avoid the use of unnecessary force.
- 1-6-9: Appointments; Probation Period of Members. All appointments of members of the Police Department shall be made by the Village President, after consultation with the Chief of Police, and with the advice and consent of the Village Board. All initial appointments hereinafter made shall be for a probationary period. If, at the expiration of that time, the applicant, in the opinion and sole discretion of the Board, after consultation with the Chief of Police, proves to be qualified for the position, he shall be certified to the position by the Board. If, in the judgment of the Board he shall prove unsatisfactory at or before the expiration of the probationary period, he shall be discharged from the Department. Said probationary period shall begin with the probationary officer=s appointment and end one year after the date that the Illinois Law Enforcement Training Standards Board has certified the officer as a Village of Holiday Hills police officer or one year after the date that said Illinois Law Enforcement Training Standards Board has issued a waiver or exemption for said officer to serve as a Holiday Hills police office.

1-6-10: Suspensions: The Chief of Police shall have the authority to suspend any member of the Department, for cause and without pay, for a period of time not to exceed thirty (30) calendar days, but the Chief of Police shall notify the Board in writing of such suspension at the same time he notifies the member of the Department to be suspended. Such suspension shall not be subject to review, except that the Board may, on its own initiation, elect to review and shall have authority to reverse or modify such suspension imposed by the Chief of Police. The Board, upon receipt of a notice of such suspension, shall notify both the Chief of Police and the suspended member within five (5) calendar days of its election to review any such suspension.

1-6-11: Discharges; Reductions in Force:

- A. Term of Appointments: All appointments to the Police Department shall be for an indefinite term (and not limited by the calendar or fiscal year), with the exception of the term of the Chief of Police, whose term shall be for a one-year term identical to the Village's fiscal year of May 1 through, and inclusive of the following April 30, but in no event shall the appointment of the Chief of Police exceed the term of office of the Village President. All members of the Department shall be employees at will of the Village and may be removed at any time with or without cause.
- B. The Board shall have the authority to discharge any member of the Department with or without cause, including the Chief of Police, but if such discharge is for a cause publicly stated or disclosed by the Village, the Board shall hold a hearing prior to such discharge.
- C. In the event of a reduction in force at any rank, the Board, upon consultation with the Chief of Police, shall in its sole discretion, determine which member or members of the Department, if any, of those holding such rank who shall continue to serve at that rank.
- D. In the event a member of the Department, other than the Chief of Police, is for any reason reduced in rank, including but not limited to by reason of discipline or by reason of a reduction in force, such person so reduced in rank shall not automatically hold the next lower rank unless so specified by the Board. At the sole and express election of the Board, the Board may specify in a given case that in the event an officer other than the Chief of Police is removed or discharged from their present rank, said officer may revert to the next lower rank in the Department, if any, or to any rank specified by the Board. The provisions of Paragraph E of Section 1-6-5 shall be applicable to a reduction in rank of the Chief of Police.

1-6-12: Part-Time Police Officers:

- A. Employment: The Village of Holiday Hills may employ part-time police officers from time to time as the Corporate Authorities of the Village may deem necessary.

- B. Duties: A part-time police officer shall have and be able to perform all of the responsibilities of a full-time police officer and such specific duties as delineated in this Chapter, the Rules and Regulations, and the General Orders of the Holiday Hills Police Department, but the number of hours a part-time officer may work within a calendar year is restricted, and part-time police officers shall not be assigned to supervise or direct full-time police officers. Part-time police officers shall be trained in accordance with the Illinois Police Training Act (50 ILCS 705/1, et seq.) and the rules and requirements of the Illinois Law Enforcement Training Standards Board (“ILETSB”).
- C. Hiring Standards: Any person employed as a part-time police officer must meet the following standards:
- (1) Be of good moral character, of temperate habits, of sound health and physically and mentally able to perform assigned duties.
  - (2) Be at least 21 years of age.
  - (3) Pass a medical examination and such other test(s) as may be required by the Village.
  - (4) Possess a high school diploma or GED certificate.
  - (5) Possess a valid State of Illinois driver’s license.
  - (6) Possess no prior felony convictions.
- D. Discipline: Part-time police officers shall be under the disciplinary jurisdiction of the Chief of Police. Part-time police officers serve at the discretion of the Corporate Authorities of the Village, shall not have any property rights in said employment, and may be removed by the Corporate Authorities of the Village at any time. Part-time police officers shall comply with all applicable Rules and Regulations and General Orders issued by the Holiday Hills Police Department.

1-6-13: Power of Arrest: Members of the Department shall have the power to arrest, with or without process, any person found violating any statute, or Village ordinance, to commit to commit for examination and if necessary, to detain such person overnight or Sunday in such jail as is available to the Department, until such person can be brought before the proper court for hearings. When an offense has been committed, but not with the knowledge of the officer, and there is reasonable ground to believe that the person accused has committed it, such officer shall forthwith cause the proper complaint to be made and cause a warrant for the arrest of the accused or a notice to appear to be issued.

1-6-14: Service of Warrants: Members of the Department shall have the power and authority, within the corporate limits of the Village, to serve and execute warrants, notices to appear, or other legal process for the apprehension and commitment and/or notification of any person charged with or held for the commission of any crime or misdemeanor, or the violation of any law or ordinance of the Village, and while serving or executing or assisting in the service or execution of any such warrant, notice to appear, or legal process they shall be vested with all the common law and statutory power of constables and peace officers.

Members of the Department shall have the power and authority to execute warrants, or other like legal process, outside the corporate limits of the Village and within such distance therefrom as is authorized by law.

1-6-15: Authority to Summon Assistance: Any member of the Department may at any time call upon any able-bodied person above the age of eighteen (18) years to aid him in re-taking or holding in custody any person guilty of having committed any unlawful act or charged therewith or to aid in preventing the commission of any unlawful act, and it shall be unlawful for any person to neglect or refuse to give such aid or assistance.

1-6-16: Witness Fees: Every member of the Department shall appear as a witness whenever this is necessary in a prosecution for a violation of a Village ordinance or a State or Federal law; provided, however, that no such member shall receive any witness fee for such services in any action or suit to which the Village is a party. All fees due for such services shall, if paid, be turned over to the Village Treasurer.