

CHAPTER 1

POLICE DEPARTMENT

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6-1-1: DEPARTMENT CREATED: There is hereby created a Police Department, an executive department of the Village. The Police Department shall consist of the Chief of Police, who shall be an ex-officio Village Marshal, a Major, four (4) Sergeants, and such other members, designated as Patrolmen, as may be provided for from time to time by the President and Board of Trustees. In the event that the Major position is not filled a fifth (5) Sergeants position may be utilized until the position is occupied.

6-1-2: QUALIFICATIONS OF MEMBERS: No person shall be appointed to any position on the Police Department unless he shall at the time of his appointment conform to the written rules and changes published by the Board of Fire and Police Commissioners in accordance with State Statutes. He shall reside in the State of Illinois and within twenty (20) linear miles of the corporate limits of the Village during his period of service and shall not be a defaulter or indebted to the Village in any manner. (1975 Code, * 6.03)

6-1-3: BOND: Withdrawn

6-1-4: DUTIES: The members of the Police Department shall enforce all ordinances of the Village, all Statutes effective in the Village, preserve order, prevent infractions of the

law and arrest violators thereof. Every member of the Police Department is hereby declared to be a conservator of the peace. (1963 Code, * 6.04)

6-1-5: APPOINTMENTS AND PROMOTIONS: Appointments to and promotions within the Police Department shall be made by the Board of Fire and Police Commissioners in the manner provided by Section 10-2.1-4 of the Illinois Municipal Code. (1963 Code, * 6.05)

6-1-5a: QUALIFICATIONS OF APPLICANTS: That the provisions of Chapter 24, Article 10-2.1-6 of the Illinois Revised Statute, 1977, is hereby adopted and recognized.

All applicants must be limited to electors of this municipality or shall have had two years experience as a police officer in an Illinois municipality and must agree to become a permanent resident and elector of this municipality if selected for position. (Ord 924, Jan. 1980)

6-1-6: DISCHARGES: No policeman shall be discharged from the Department except after a hearing on charges before the Board of Fire and Police Commissioners as provided by Statute, or in accordance with a collective bargaining agreement between both parties. This does not affect the power of the President and Board of Trustees to appoint and remove the Chief of Police. (1963 Code, * 6.06)

6-1-7: CHIEF OF POLICE: There is hereby created the office of Chief of Police. The Chief of Police shall be appointed by the President, by and with the consent of the Board of Trustees. If the person appointed Chief was at the time of such promotion a member of the Police Department he shall retain his status and rank while serving as Chief and shall revert to such status and rank when his term as Chief has ended. (1963 Code, * 6.07)

6-1-8: DUTIES OF CHIEF: The Chief of Police shall be keeper of the Village Jail, and shall have custody of all persons incarcerated therein. He shall keep such records and make such reports concerning the activities of his Department as may be required by the Statute or ordinance. 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 his orders. He shall be custodian of all lost, abandoned or stolen property in the Village. (1963 Code, * 6.08)

6-1-9: PROCESS SERVING: The Chief of Police may serve writs, summons, and other processes, but no patrolman shall serve any such summons or process except on the order of the Chief of Police or the President. (1963 Code, * 6.09)

6-1-10: CONDUCT OF MEMBERS: It shall be the duty of every member of the Police Department to conduct themselves in a proper and law abiding manner, and to avoid the use of unnecessary force. (1963 Code, * 6.10)

6-1-11: WITNESS FEES: A member of the Police Department shall appear as a witness whenever necessary in a prosecution for a violation of a Village ordinance or a State or Federal law. He shall not receive any witness fee for such services in any action or suit to which the Village is a party. All witness fees due for such service, if paid, shall be turned over to the Treasurer. (1963 Code, * 6.11)

6-1-12: RULES AND REGULATIONS: The Chief of Police may make such rules and regulations for the guidance of the members of the Department as he shall see fit, subject to approval by the President and Board of Trustees. (1963 Code, * 6.12)

6-1-13: SPECIAL POLICEMEN: The President, with the approval of the Board of Trustees, may appoint any reputable person as a special policeman to serve for such term and on such conditions as may be designated by the terms of such appointment. Special policemen shall have the powers and duties of a conservator of the peace, and shall receive no compensation is ordered by the Board of Trustees. Appointments may be revoked at any time by the President, the Board of Trustees or the Chief of Police. (1963 Code, * 6.13)

6-1-14: ARREST WITHOUT WARRANT: The members of the Police Department shall have the power to arrest, with or without process, any person within the Village who shall break the peace or who is found violating any ordinance of the Village or any criminal law of this State, and to commit such person for examination and, if necessary, to detain such person over night or Sunday in the Village Jail or other secure place until he can be brought before the proper judge or court for trial. (1963 Code, * 6.14; Amd. 1975 Code)

6-1-15: POLICE CLERK: There is hereby created a position to be known as Police Clerk, which office shall be filled by the President by and with the consent of the Board of Trustees. The Police Clerks shall perform such duties as answering the telephones, keeping police records, radio dispatching Village vehicles and any duties assigned by the Chief of Police, the President, and the Police Committee of the Board of Trustees. The Police Clerks shall be entitled to all benefits for civilian Village employees as prescribed by Title 1, Chapter 14 of this Code. (1963 Code, * 6.15; Amd. 1975 Code)

6-1-16: PART TIME POLICE OFFICER: The Village of East Alton may appoint, discipline, and discharge part time police officers. Part time police officers will only be allowed to work 1500 (fifteen hundred) hours within a calendar year.

- A. A part time police officer must meet the state standards to be eligible for employment as a full time police officer in the State of Illinois and Village of East Alton. A part time police officer while be above the minimum age of 21 years, and possess a high school diploma or its recognized equivalent. The applicant must not possess a felony conviction, or a conviction of a charge involving moral turpitude.
- B. Part time police officers may be utilized if they have successfully passed the hiring process through the East Alton Fire and Police Commission, and are currently established on the East Alton Police Department Hiring List. In the event of necessity the Village may use police officers that have successfully passed the

certification process for the State of Illinois and possess a current certificate acknowledging their completion of the state requirements in good standing.

- C. Part-time police officers shall be members of the regular police department, except for pension purposes. Part-time police officers shall not be assigned under any circumstances to supervise or direct full-time police officers of a police department. Part-time police officers shall not be used as permanent replacements for permanent full-time police officers. Part-time police officers shall be trained under the Intergovernmental Law Enforcement Officer's In-Service Training Act¹ in accordance with the procedures for part-time police officers established by the Illinois Law Enforcement Training Standards Board. A part-time police officer hired after January 1, 1996 who has not yet received certification under Section 8.2 of the Illinois Police Training Act² shall be directly supervised.

6-1-17: BONDING FEE:

- A. The Village of East Alton will require a fee of \$20.00 (twenty dollars) to be assessed to a subject posting bail for a violation of aailable municipal ordinance or a state or federal law.
- B. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder here of shall be valid in all other respects and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Trustees that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which has been invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the Village and shall thereafter be binding.

6-1-18: HALLOWEEN, TRICK-OR-TREATING: It shall be unlawful for any person to engage in the act of solicitation commonly known and referred to as "Trick-or-Treating", under the following conditions:

- A. At any day other than October 30 and/or October 31 of any calendar year.
- B. If the "Trick or Treater" is over twelve (12) years of age.
- C. At any residence where the exterior light is not burning.
- D. At any time other than between the hours of 6:00 P.M. and 8:00 P.M.