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## CHAPTER 2.04: GENERAL PROVISIONS<sup>1</sup>

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### **§ 2.04.010 OFFICERS AND EMPLOYEES; NONLIABILITY FOR FAILURE TO PERFORM DUTIES.**

No provision of this code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided in this code for a failure to perform such duty unless the intention of the City Council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.  
(‘78 Code, § 2.04.010)

### **§ 2.04.015 CITY OFFICIALS; INDEMNIFICATION FROM FINANCIAL LOSS DUE TO ACTIONS TAKEN BY THEM WITHIN THE SCOPE OF THEIR OFFICE OR EMPLOYMENT.**

Whenever any elected city official, including the Mayor, City Clerk, City Council member, City Treasurer, commits an act or takes an action while acting within the scope of his office or employment, and the act or action is done in furtherance of his duties of office or employment, and the official is thereafter sued in any civil tribunal or administrative body for money damages or other relief, the city shall bear the entire expense of defending the city official before the tribunal, and shall indemnify the city official for and pay any money judgment entered against him, whether or not the city official still holds elected office by the city at the time the proceedings are commenced against him. The elected official shall have the sole right to employ legal counsel of his own choosing at the city’s expense to defend his interests. This section shall not be construed to require the city to pay any expenses of the city official associated with the defense of a purely criminal charge lodged against him.  
(‘78 Code, § 2.04.015)

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<sup>1</sup>For statutory law relating to municipal officers’ pecuniary interests, see ILCS Ch. 65, Act 5, § 3.1-55-10.

**§ 2.04.050 COMMISSIONERS TO BE FULL-TIME RESIDENTS.**

All members of appointed city commissions must be year-round full-time residents of the city during their tenure of office. Any such commission member who ceases to be a year-round full-time resident shall be deemed to have vacated his office upon moving his residence from the city.

('78 Code, § 2.04.050) (Ord. 490, passed - -79)

**§ 2.04.060 COMMENCEMENT OF TERM OF OFFICE.**

All officers who are elected during the month of April shall commence their duties on the first regularly scheduled City Council meeting of the following May. All officers elected in any other month shall commence their duties on the first regularly scheduled City Council meeting after the officers have been duly declared elected pursuant to issuance by the County Clerk of a certificate of election and after the officers have been sworn in and posted their bond pursuant to statute. All terms of elected officers shall expire on the first regularly scheduled City Council meeting in the month of May of the last year of their term of office, or upon the swearing in of their successors, whichever event occurs last. All appointed officers and employees shall assume their duties on the date designated by the officer or the body making the appointment.

('78 Code, § 2.04.060) (Ord. 519, passed - -81; Am. Ord. 525, passed - -81)

**§ 2.04.070 FALSE STATEMENTS TO CITY COUNCIL.**

It shall be an offense for any person, in any manner within any hearing in which an appeal to the City Council is made or an application is made or presented for action by the City Council, to knowingly and wilfully falsify, conceal, or cover-up by any trick, scheme, device a material fact, make any false, fictitious or fraudulent statement or representation, or make or use any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry. Any person found guilty of violating the provisions of this chapter shall be punished by a fine of not less than \$150, nor more than \$750.

(Ord. 1005, passed 11-4-96)

**§ 2.04.080 DAYS AND HOURS OF COUNCIL MEETINGS.**

(A) Regular City Council meetings shall be held on the first and third Mondays of each calendar month, unless the Monday falls on a federal holiday, in which case the meeting shall be held on the immediately following Tuesday.

(B) Council work sessions and special meetings may be called for by the City Council by vote during a regular meeting, so long as sufficient time is allowed for the City Clerk to post notice of the work session or special meeting no later than 48 hours before commencement of the work session or special meeting. The Mayor may also call a work session or special meeting if notice is posted by the Clerk no later than 48 hours before commencement.

(C) An agenda of each regular or special meeting, and of each work session shall be available at the specific meeting or session scheduled or called. For special meetings or work sessions, the agenda shall be posted as part of the notice. No binding votes shall be taken at work sessions. The subject matter of special meetings and work sessions shall not vary from the posted agenda.

(D) The hour of commencement for each regular meeting, special meeting, and work session shall be 7:00 p.m. The hour of commencement for any single meeting may not be varied unless the change in time is approved by at least two-thirds of all aldermen holding office, regardless of how many aldermen are present when the vote is cast.  
(Ord. 1364, passed 7-5-05)

**§ 2.04.090 RESPONSIBLE BIDDER FOR CONSTRUCTION CONTRACTS.**

(A) *Responsible bidder.* Responsible bidder for construction contracts means a bidder who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

(1) All applicable laws, and prerequisites to doing business in Illinois.

(2) Evidence of compliance with the following:

(a) Federal Employer Tax Identification Number or Social Security Number (for individuals);

(b) Provision of Section 2000(c) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).

(3) Certificates of insurance indicating the following coverages: general liability, workers' compensation, completed operations, automobile, hazardous occupation and product liability in not less than the minimum amounts required by the city.

(4) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.

(5) The bidder and all bidder's subcontractors must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract.

(6) All contractors and subcontractors are required to turn in certified payrolls as specified in state law.

(B) *Threshold amount.* This section and every provision thereof shall apply to all construction contracts exceeding the amount set forth in 65 ILCS 5/8-9-1, let to the lowest responsible bidder as defined herein after advertising for bids for such construction contracts.  
(Ord. 1475, passed 4-6-09; Am. Ord. 1754, passed 11-6-17)

**§ 2.04.100 IDENTITY THEFT PROGRAM.**

(A) The Crest Hill Municipal Utility Identity Theft Prevention Program which is attached to Ordinance 1478 as Exhibit B is hereby adopted and incorporated by reference as if fully set forth herein.

(B) The Municipal Utility Identity Theft Prevention Program shall be implemented and administered by the Utility Billing Manager as the Program Administrator.

(C) Changes to the Municipal Utility Identity Theft Prevention Program of a day-to-day operational character and decisions relating to the interpretation and implementation of the Program shall be made by the Program Administrator, however, changes or shifts of policy positions under the Program shall be reported to the City Council.

(Ord. 1478, passed 4-20-09)

#### § 2.04.110 TRAVEL, MEAL AND LODGING EXPENSES.

(A) *Definitions.* For purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ENTERTAINMENT.** Includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

**PUBLIC BUSINESS.** Expenses incurred in the performance of a public purpose which is required or useful for the benefit of the city to carry out the responsibilities of city business.

**TRAVEL.** Any expenditure directly incident to official travel by employees and officers of the city or by wards or charges of the city involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

(B) The city shall only reimburse the following types of travel, meal, and lodging expenses incurred by its employees and officers up to \$100 per day, per approved event:

(1) Registrations fees for meetings, seminars, or conventions. Documentation is required, including agenda if available.

(2) Special luncheons and banquets that are included as part of the conference, but charged separately. Documentation is required, including agenda if possible.

(3) *Transportation.* The most economical mode of transportation shall be selected. Criteria to be considered include the length of trip, travel time and cost. Allowable transportation expenses may include:

(a) *City vehicle.* Actual expenses for gas, oil, repairs, and other operating expenses will be reimbursed upon presentation of receipts.

(b) *Personal vehicle.* When a city vehicle is not available. Mileage reimbursement shall be in accordance with IRS guidelines. Mileage may be substantiated by printing an internet based mapping service and attaching it to the Travel, Meal and Lodging Expense Reimbursement Request Form using the most direct route mileage. Reimbursement will not exceed what is the most economical considering factors such as airfare, car rental, number of people traveling, mileage for local travel, etc.

(c) *Air travel.* Air travel shall be at the lowest available fare, and, if possible, planned in advance to take advantage of the most economical rate. Receipts are required.

(d) *Other travel.* Rental of automobiles, taxis, or public transportation are reimbursed at cost with verification of receipts.

(e) Expenses related to a traveling spouse or guests are not eligible for reimbursement by the city.

(4) *Lodging.* Reimbursement shall be for actual expenses incurred and that are attributed to the employee or official only.

(a) Lodging expenses are not allowable when the place of travel is less than 50 miles from the City of Crest Hill unless exigent circumstances or dangerous weather would cause an unexpected stay or for a multi-day event.

(b) Fees for pay television, movie rentals, fitness rooms, in-room minibars, and other such items are ineligible for reimbursement.

(5) *Meals.*

(a) Meals are reimbursable for actual cost. Tips are reimbursable up to a maximum of 20% of the bill. Any tip(s) in excess of 20% is not reimbursable by the city. The city shall not reimburse for any alcoholic beverages. The time of departure from the city or from the destination determines the meals eligible for reimbursement, according to the following schedule:

<b><i>Depart from Crest Hill</i></b>	<b><i>Depart from Destination</i></b>	<b><i>Allowed</i></b>
Before 7:00 a.m.	Before 7 a.m.	Breakfast
Between 11 a.m. and 12 noon	Between 11 a.m. and 12 noon	Lunch
After 5 p.m.	After 5 p.m.	Dinner

(b) Reimbursements may not be claimed for meals included in conference or seminar registration fees paid by the city.

(C) *Other expenses.* Other expenses related to the approved travel, such as tolls, parking fees, taxicab, office supplies, courier services, or business-related telephone calls are allowed. Itemized receipts are required.

(D) *Credit cards.* Employees are encouraged to use a city credit card when one is available. Employees may elect to use their personal credit cards to charge city travel expenses. Reimbursements shall be made in accordance with the provisions set forth in this policy and only with itemized receipts.

(E) *Fraud.* Employees who intentionally perform a fraudulent act with respect to falsifying business expenses shall be subject to disciplinary action up to and including dismissal. Specific examples of fraudulence include:

- (1) Credit card abuse;
- (2) Travel expense falsification, including duplication.

(F) No reimbursement of travel, meal or lodging expenses incurred by a city employee or officer shall be authorized unless the Travel, Meal, and Lodging Expense Reimbursement Request Form, attached

as Exhibit A to Ordinance 1725 and incorporated by reference as if fully set forth herein, has been submitted and approved. All documents and information submitted with the form shall be subject to disclosure under the Freedom of Information Act (ILCS Ch. 5, Act 140, §§ 1 et seq.)

(G) Expenses for travel, meals, and lodging of:

(1) Any officer or employee that exceeds the maximum reimbursement allowed under the regulations adopted under division (B) above; or

(2) Any member of the corporate authorities of the city may only be approved by roll call vote at an open meeting of the corporate authorities of the city. However, in the event of an emergency or other extraordinary circumstances, the corporate authorities may approve more than the maximum allowable expenses set forth above.

(H) The city shall not reimburse any elected official, employee, or officer for any activities which would be considered entertainment. Activities which would otherwise be considered entertainment, but which are excluded from the prohibition on reimbursement due to being ancillary to the purpose of the program or event, maybe reimbursed in accordance with the provisions of this section.

(Ord. 1725, passed 12-19-16)



## **CHAPTER 2.05: CODE OF ETHICAL CONDUCT**

### Section

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2.05.020	Definitions
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2.05.050	Interest of city to be placed above private or interest
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2.05.130	Adoption of State Officials and Employees Ethics Act

### **§ 2.05.010 STATEMENT OF INTENT AND PURPOSE.**

(A) The purpose of this chapter is to establish standards of conduct for city officials and city employees by outlining those acts or actions that are incompatible with the interests of the city. By eliminating conflicts of interest and providing a guide for conduct in city matters, the faith and confidence of the citizens in their city government will be promoted.

(B) It is essential to the proper operation of democratic government that public officials and employees be independent and impartial; that governmental decisions and policy be made independent of improper influence; that public office not be used for private gain; and the public have confidence in the integrity of government. Public officials and employees serve their government in a fiduciary capacity and must not bestow special consideration upon any person merely because of that person's relationship to an official or employee. The public interest requires that the city protect against such conflicts of interest and establish appropriate ethical standards relative to the conduct of elected officials and government employees in situations where conflicts exist, as well as in situations where conflicts may occur or develop.

(C) The proper operation of government requires that those best qualified be encouraged to serve in government. Accordingly, these standards against conflicts of interest are designed so as to not unnecessarily or unreasonably impede the recruitment and retention by the city of those persons who are best qualified to serve it. The right of each official and employee to privacy in his or her financial affairs must not, therefore, be limited beyond that disclosure necessary to ensure the integrity of the city. Moreover, officials and employees should not be denied the opportunity, available to all other citizens, to acquire and retain private economic and other interests; such opportunity should not be limited unless conflicts with the responsibility of such officials and employees to the public cannot be avoided.

(Ord. 1004, passed 11-4-96)

**§ 2.05.020 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**OFFICIAL or EMPLOYEE.** Any person, officer, or employee holding a position by election, appointment, or employment in the service of the City of Crest Hill, whether paid or unpaid, including members of any agency, board, committee, or commission thereof; provided, however, that independent contractors shall not be considered public officials or employees. Acts of any family member of a public official or employee, when done with the knowledge and consent of the public official or employee, shall be deemed to be acts of such official or employee for purposes of applying the prohibitions and restrictions of this chapter.

**FINANCIAL INTEREST.** Any material, direct or indirect, benefit accruing to a public official or employee or such person's family members, whether in the public official's or employee's own name or the name of any person, firm, corporation, association, or trust from which the official or employee is entitled to receive any financial benefit, as a result of a contract or transaction which is or which is known will become the subject of an official act or action by or with the city, except for such contracts or transactions which by the terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other citizens of the city and except that benefits accruing to any business entity which has its stock publicly traded and in which a public official's or employee's only interest is an ownership of less than .5% in such publicly traded stock shall not be deemed to be benefits accruing to such public official or employee. Notwithstanding anything to the contrary, any interest permitted or prohibited under Section 3-14-4 of the Illinois Municipal Code, ILCS Ch. 65, Act 5, § 3-14-4, or ILCS Ch. 50, Act 105, §§ 3 et seq., as they may be amended from time to time, shall be permitted or prohibited under the same circumstances and conditions as therein set forth.

**COMPENSATION.** Any money, thing of value or other pecuniary benefit received or to be received in return for, or a reimbursement for, services rendered or to be rendered.

**PERSON.** Any individual, entity, corporation, proprietorship, partnership, firm, association, trade union, trust, estate or group, as well as any parent or subsidiary of any of the foregoing entities, whether or not operated for profit.

**CONTRIBUTION, CANDIDATE, and AUTHORIZED POLITICAL COMMITTEE** as used herein shall be defined as provided in Article 9 of the Illinois Election Code, ILCS Ch. 10, Act 5, §§ 9-1 et seq. (Ord. 1004, passed 11-4-96)

**§ 2.05.030 CONFLICTS OF INTEREST.**

(A) *Interest in city business.*

(1) No official or employee shall have a financial interest in his or her own name or in the name of any other person, in any contract, work, or business of the city, or in the sale of any article, whenever the expense, price, or consideration of the contract, work, business, or sale is paid by either from the City Treasury or pursuant to any law or ordinance. Money paid by the city to an official or employee as compensation for property taken pursuant to the city's eminent domain power shall not constitute a financial interest with the meaning of this section. Unless specifically authorized by ordinance, no official

or employee shall have a financial interest in the purchase of any property that (1) belongs to the city, or (2) is sold for taxes or assessments, or (3) is sold by virtue of legal process at the suit of the city.

For the purposes of this section only, however, a municipal officer shall not be deemed interested if the officer is an employee of a company or owns or holds an interest of 1% or less in the municipal officer's individual name in a company, or both, that company is involved in the transaction of business with the city, and that company's stock is traded on a nationally recognized securities market, provided the interested member (1) publicly discloses the fact that he is an employee or holds an interest of 1% or less in a company before deliberation of the proposed award of the contract; (2) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in the negotiation, approval, or both of the contract, work, or business; (3) abstains from voting on the award of the contract though he shall be considered present for purposes of establishing a quorum; and (4) the contract is approved by a majority vote of those members currently holding office.

A municipal officer shall not be deemed interested if the officer owns or holds an interest of 1% or less, not in the officer's individual name but through a mutual fund or exchange-traded fund, in a company, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market.

This section does not prohibit any person serving on a municipal advisory panel or commission or nongoverning board or commission from having an interest in a contract, work, or business of the city unless the officer's duties include evaluating, recommending, approving, or voting to recommend or approve the contract, work, or business.

(2) Any elected or appointed member of the City Council may, however, provide materials, merchandise, property, services, or labor, subject to the following provisions under either (a) or (b):

(a) If:

(i) The contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the governing body of the municipality has less than a 7-1/2% share in the ownership;

(ii) The interested member publicly discloses the nature and extent of the interest before or during deliberations concerning the proposed award of the contract;

(iii) The interested member abstains from voting on the award of the contract (though the member shall be considered present for the purposes of establishing a quorum);

(iv) The contract is approved by a majority vote of those members presently holding office;

(v) The contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds \$1,500 (but the contract may be awarded without bidding if the amount is less than \$1,500); and

(vi) The award of the contract would not cause the aggregate amount of all contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed \$25,000.

(b) If:

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(i) The award of the contract is approved by a majority vote of the City Council (provided that the interested member shall abstain from voting);

(ii) The amount of the contract does not exceed \$2,000;

(iii) The award of the contract would not cause the aggregate amount of all contracts so awarded to the same person, firm, association, corporation, or cooperative association in the same fiscal year to exceed \$4,000;

(iv) The interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and

(v) The interested member abstains from voting on the award of the contract (though the member shall be considered present for the purposes of establishing a quorum).

(3) In addition to the above exemptions, any elected or appointed member of the City Council may provide materials, merchandise, property, services, or labor if:

(a) The contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the City Council, advisory panel, or commission has less than a 1% share in the ownership; and

(b) The award of the contract is approved by a majority vote of the City Council provided that any such interested member shall abstain from voting; and

(c) Such interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and

(d) Such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(4) A contract for the procurement of public utility services by the city with a public utility company is not barred by this section by one or more members of the City Council being an officer or employee of the public utility company, or holding an ownership interest of no more than 7-1/2% in the public utility company, or holding an ownership interest of any size if the population of the city shall be less than 7,500 and the public utility's rates are approved by the Illinois Commerce Commission. An elected or appointed member of the City Council having a local interest described in this division (A)(4) does not have a prohibited interest under this section.

(5) Nothing contained in this section, including the restrictions set forth in divisions (A)(2), (3) and (4) of this section, shall preclude a contract of deposit of moneys, loans, or other financial services by a municipality with a local bank or local savings and loan association, regardless of whether a member of the City Council of the municipality is interested in the bank or savings and loan association as an officer or employee or as a holder of less than 7-1/2 % of the total ownership interest. A member holding an interest described in this division (A)(4) in a contract does not hold a prohibited interest for the purposes of this section.

The interested member of the City Council must publicly state the nature and extent of the interest during deliberations concerning the proposed award. A member abstaining from participation in deliberations

and voting under this section may be considered present for the purposes of establishing a quorum. Award of the contract shall require approval by a majority vote of those members presently holding office. Consideration and award of a contract in which a member is interested may only be made at a regularly scheduled public meeting of the City Council. (ILCS Ch. 65, Act 5, § 3.1-55-10)

(B) *Employment of relatives; restrictions.*

(1) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AGENCY.** The City Council, any City Council committee, or other subdivision thereof, as well as any city department, agency, commission, board or other body.

**EMPLOY.** Hire, appoint, promote, advance, transfer, or in any other manner establish or alter the employment status of any person.

**OFFICIAL or EMPLOYEE.** Any official or employee, and any other person, with the authority by law, rule, regulation, delegation, custom, or otherwise, to appoint, employ, promote, or advance persons, or to recommend persons for appointment, employment, promotion, or advancement in connection with employment in any agency.

**RELATIVE (FAMILY MEMBER).** Any person who is related to an official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepbrother, stepsister, half brother, or half sister.



(2) No official or employee shall employ or advocate for employment in any agency over which that official or employee exercises jurisdiction or control any person (i) who is a relative of that official or employee, or (ii) in exchange for or in consideration of the employment of any of that official's or employee's relatives by any other official or employee.

(3) Any person initially employed by the city after the enactment of this chapter and in violation of this section is not entitled to compensation, and money may not be paid from the City Treasury as compensation to an individual so employed.

(4) Nothing in this section shall preclude a family member of any official or employee from rendering services to the city on a volunteer, uncompensated basis; however, such family member shall not be eligible for appointment to a city agency.

(5) This section shall have no effect on the continuing employment or re-hire of a family member of any employee or official whom was employed by the city prior to the effective date of this chapter.

(C) *Campaign Contributions.* Campaign contributions to any person running for any elective city officer shall be regulated by the Campaign Contribution Limitation Ordinance. (§ 2.05.090, supra.)

(D) *Solicitation of contributions.* No person shall compel, coerce, or intimidate any official or employee of the city into making, or refraining from making, any political contribution or into engaging in any form of political activity. Nothing herein shall be construed to prevent any such official or employee from making such a contribution or from engaging in political activity voluntarily, unless otherwise prohibited by applicable law.

(Ord. 1004, passed 11-4-96)

**§ 2.05.040 CONFLICT OF INTEREST: NOTIFICATION TO MAYOR.**

It shall be the duty of all municipal officials, agents and employees aware of a conflict of interest, or suspecting a conflict of interest, to notify the Mayor of the violation, or suspected violation, who in turn shall call the matter to the attention of the State's Attorney of the county for proper investigation and prosecutions if necessary. Any municipal officer, agent or employee may seek out the opinion of the City Attorney as to the violation of the provisions of this chapter for a written or oral opinion in that regard.

(Ord. 1004, passed 11-4-96)

**§ 2.05.050 INTEREST OF CITY TO BE PLACED ABOVE PRIVATE OR INTEREST.**

It shall be the duty of every municipal officer, employee or agent to place the interests of the city above any private or personal interest whether or not the same constitutes violation of ILCS Ch. 65, Act 5, § 3.1-55-10.

(Ord. 1004, passed 11-4-96)

**§ 2.05.060 CODE OF CONDUCT.**

(A) *Fiduciary duty.* Officials and employees shall at all times in the performance of their public duties owe a fiduciary duty to the city.

(B) *Improper influence.* No official or employee shall make, participate in making, or in any way attempt to use his or her position to influence any governmental decision or action in which he or she knows or has reason to know that he or she has a financial interest. An official or employee has a financial interest in a governmental decision or action when it is reasonably foreseeable that the decision or action will have a material effect on that official or employee distinguishable from its effect on the public generally.

(C) *Offering, receiving, and soliciting gifts, favors.*

(1) No person shall give or offer to give to any official or employee or to his or her spouse or minor child, and none of the aforementioned shall solicit or accept anything of value, including, but not limited to, a gift, favor, service or promise of future employment, based upon any understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any official or employee would be influenced thereby.

(2) No person shall give to any official or employee or to his or her spouse or minor child, and no official or employee or his or her spouse or minor child shall solicit or accept any anonymous gift, favor, service or other thing of value.

(3) Any gift or other thing of value received in violation of the provisions of this section shall be returned to the person offering it. If that person is unknown or cannot be located, then the gift or item shall be turned over to the Mayor to be held in trust for the citizens of the city. The City Council may, by ordinance or resolution, provide for the public sale of any such items. Gifts of money as well as the proceeds from the sale of any such items shall, if not returned to the person giving the money or item, be deposited in the city treasury.

(4) Except as prohibited above, nothing in this section shall prohibit any person from giving or receiving:

(a) An award publicly presented in recognition of public service;

(b) Commercially reasonable loans made in the ordinary course of the lender's business;

(c) Political contributions, provided they are reported to the extent required by law; or

(d) Reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official city business, if furnished by the sponsor of such public event.

(5) Any official or employee who receives any gift money for participating in the course of his public employment in speaking engagements, lectures, debates or organized discussion forums shall report it to the Mayor within five business days.

(D) *Solicitation or receipt of money for advice or assistance.* No official or employee or his or her spouse or minor child shall solicit or accept any money or other thing of value, in return for advice or assistance on matters concerning the operation or business of the city.



(E) *Regulation of business with which official or employee is associated.* Whenever the City Council or a committee or other subdivision thereof, or any city department, agency, board, commission or any other body, undertakes consideration of any matter in which one of its members or employees has a financial interest, that member or employee shall refrain from all official activity regarding such matter and shall publicly state the nature and extent of his or her interest in the matter during any deliberation thereon. However, such an interested member or employee shall be considered present for purposes of establishing a quorum.

(F) *Acceptance or participation in cases prohibited.* No official or employee may represent, in any formal or informal appearance, any other person, for compensation, in any matter before the City Council or a committee or other subdivision thereof, or before any city department, agency, board or commission or in any court of law, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation or other particular matter involving a specific party or parties in which the city is a party or has a direct and substantial interest. Nothing contained herein shall, however, preclude any official or employee from exercising his or her duties and responsibilities as an official or employee of the city.

(G) *Post-employment restrictions.* No person, having been an official or employee of the city, may represent any other person for compensation, before the City Council or a committee or other subdivision thereof, or before any city department, agency, board, or commission, or in any court of law, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation or other particular matter involving a specific party or parties, in which the city is a party or has a direct and substantial interest, and in which that person participated personally and substantially during his or her term of office or employment.

(H) *Contact with developers.* Any member of the City Council or member of any board or commission having final or advisory jurisdiction over any development or land issue shall comply with the following procedure when he or she is contacted in his or her capacity as a city official by a developer who is proposing a development or redevelopment requiring city approval;

(1) If a formal petition has not been filed or the Plan Commission review process not yet been initiated:

(a) The contacted member shall refer the developer to the Mayor or the appropriate city official who is assigned to review the type of development proposed by the developer.

(b) If the contacted member desires to be involved in a meeting or telephone conference with the developer regarding the proposed development, that member may meet with the developer provided that an appropriate city official is present at the meeting or is a party to the telephone conference.

(2) If a formal petition has been filed or the Plan Commission review process has been initiated:

(a) The contacted member shall inform the developer that because an application has been filed or the Plan Commission review process has begun, all contacts between the developer and the contacted member shall be limited to contacts at official meetings or at review sessions which occur during the Plan Commission's deliberations.

(b) Notwithstanding the provisions of division (H)(2)(a) of this section, if the developer informs the contacted member that a problem has arisen between the developer and a city official or employee relative to the proposed development, the contacted member may (a) listen to the problem, (b) relay the problem to the Mayor and either schedule a meeting between the developer and the Mayor or his designee or request the Mayor to contact the developer. The contacted member may attend a meeting which he or she schedules pursuant to this division (H)(2)(b) provided that an appropriate staff member is present at the meeting.

(Ord. 1004, passed 11-4-96)

#### **§ 2.05.061 ADOPTION OF STATE GIFT BAN ACT.**

(A) The State Gift Ban Act (ILCS Ch. 5, Act 425, §§ 1 et seq.) is hereby adopted as required by Section 83 of the Act (ILCS Ch. 5, Act 425, § 83).

(B) The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act is prohibited by any elected or appointed official or any employee of the city.

(Ord. 1095, passed 6-21-99)

**Editor's note:**

*The State Gift Ban Act was repealed by the state legislature in P.A. 93-617, effective November 19, 2003.*

*See § 2.05.130, adopting the State Officials And Employees Ethics Act, ILCS Ch. 5, Act 430, §§ 1-1 et seq.*

#### **§ 2.05.062 ETHICS OFFICER.**

To the extent authorized by law and to the extent required by Section 35 of the Act (ILCS Ch. 5, Act 425, § 35), the Mayor is appointed to serve as the ethics officer of the city. The ethics officer's duties shall be as provided in Section 35 of the Act.

(Ord. 1095, passed 6-21-99)

#### **§ 2.05.063 STATE LEGISLATIVE COMMISSION; COMPLAINTS.**

All complaints for violations of the State Gift Ban Act and § 2.05.061 shall be filed with the State Legislative Ethics Commission (as created by Section 45(a)(6) of the State Gift Ban Act).

(Ord. 1095, passed 6-21-99)

#### **§ 2.05.064 EXISTING ETHICS ORDINANCE OR GIFT BAN ORDINANCE.**

§ 2.05.061 of the code, and the entirety of the enacting ordinance, does not repeal or otherwise amend or modify § 2.05.060, which regulates the conduct of city officials and employees. To the extent that § 2.05.060 is less restrictive than the terms of the State Gift Ban Act and § 2.05.061, then the provisions of § 2.05.061 shall prevail in accordance with Section 95 of the State Gift Ban Act (ILCS Ch. 5, Act 425, § 95).

(Ord. 1095, passed 6-21-99)

#### **§ 2.05.065 FUTURE AMENDMENTS TO STATE GIFT BAN ACT.**

Any amendment to the State Gift Ban Act (ILCS Ch. 5, Act 425, §§ 1 et seq.) that becomes effective after passage of §§ 2.05.061 through 2.05.065 shall be incorporated into § 2.05.061 by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provision

optional for adoption by municipalities shall not be incorporated into § 2.05.061 by reference without formal action by the Mayor and City Council.  
(Ord. 1095, passed 6-21-99)

#### **§ 2.05.070 FINANCIAL DISCLOSURE.**

Any official or employee required to file a financial disclosure statement pursuant to the Illinois Governmental Ethics Act, as amended, shall, at the time the statement is filed with the County Clerk, also file a duplicate of such statement with the City Clerk.  
(Ord. 1004, passed 11-4-96)

#### **§ 2.05.080 ENFORCEMENT AND PENALTIES.**

(A) *Disciplinary action.* A finding that any public official or employee has violated any provision of this chapter shall constitute a cause for reprimand, censure, suspension, removal from office or termination of employment, or other disciplinary action as may be appropriate, provided, however, that no such finding shall be made except after due process.

(B) *Fines.* Any person found guilty of violating the provisions of this chapter shall be subject to prosecution in a court of competent jurisdiction and fined not more than \$500 for each such offense.

(C) *Reconsideration of transaction.* Any transaction which was the subject of an official act or action of the city in which any public official or employee has an interest prohibited by this chapter, or which involved the violation of this chapter, shall be officially reconsidered upon discovery, disclosure, or determination of such interest or violation.

(D) *Power and duties.* The Mayor shall have the following powers and duties regarding violations of this chapter by members of the City Council, all officials appointed by the Mayor and City Council to any agency, board, committee, commission, or other administrative body, and over all city employees, except when discipline or termination is beyond the legal authority of the Mayor, and vested in the Civil Service Commission having disciplinary and termination authority over such employees shall have the following powers and duties regarding violations of this division by such employees:

(1) To initiate and to receive complaints of violations of any of the provisions of this division and to investigate and act upon such complaints as provided by this division or other applicable law.

(2) To conduct investigations, inquiries, and hearings concerning any matter covered by this division, and to certify the records in such proceedings, and to request the issuance of a subpoena in accordance with Illinois law. Appropriate discretion may be exercised in determining whether to investigate and whether to act upon any particular complaint or conduct. When necessary or required by law, assistance may be requested from other appropriate agencies.

(3) To promulgate rules for the conduct of investigatory proceeding, including procedural rules consistent with the requirements of due process of law.

(E) *Disgorging corporate opportunity.* Any current or former official or employee shall, upon demand of the Mayor, account for all benefits accruing to such official or employee as a result of any violation of the provisions of this chapter. Any current or former official or employee receiving any such

benefits in violation of any of the provisions of this chapter shall turn over to the city such benefits. In the event that any such official or employee refuses to account for benefits received in violation of any of the provisions of this section, the Mayor may authorize the City Attorney to seek legal recourse necessary to receive such an accounting and return and any other disciplinary remedy.  
(Ord. 1004, passed 11-4-96)

**§ 2.05.090 DISCLOSURE OF INTEREST STATEMENT.**

(A) Whenever any official or employee has an ownership, employment, financial, or family interest in a proposed contract, business, or transaction with the city which interest is allowed, such official or employee shall file with the City Clerk a written disclosure of interest statement in the following form:

**DISCLOSURE OF INTEREST**

**IN CONTRACT, BUSINESS, OR TRANSACTION**

NAME: \_\_\_\_\_

POSITION WITH CITY: \_\_\_\_\_

NAME OF ENTITY CONTRACTING WITH CITY: \_\_\_\_\_

PROPOSED CONTRACT, BUSINESS, OR TRANSACTION: \_\_\_\_\_

- I HAVE AN     Ownership
- Employment
- Family

interest in the proposed contract, business, or transaction as follows: \_\_\_\_\_

\_\_\_\_\_

I am entitled to have an interest under the provisions of Section 1-13-3 \_\_\_\_\_

because of the following facts: \_\_\_\_\_

\_\_\_\_\_

DATED: \_\_\_\_\_ SIGNATURE \_\_\_\_\_

(B) Such written disclosure of interest statement shall be filed with the City Clerk not later than the call to order of the meeting at which action is contemplated or, where there is no such meeting, within 48 hours of the official's or employee's learning of an interest allowed under § 2.05.030.  
(Ord. 1004, passed 11-4-96)

**§ 2.05.100 LIMITATIONS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.**

(A) No person shall make contributions to or expenditures on behalf of any candidate or the candidate's political committee in an aggregate amount exceeding \$250 for any election.

(B) Contributions to a candidate made to any political committee authorized by such candidate to accept contributions on his or her behalf shall be considered contributions made to such candidate.

(C) Expenditures made by any person in cooperation, consultation, or concert with or at the request or suggestion of a candidate or a candidate's authorized political committee shall be considered to be a contribution to such candidate.

(D) The financing by any person of the dissemination, distribution, or republication, in whole or part, of any broadcast or any written, graphic, or other form of campaign materials prepared by a candidate or a candidate's political committee shall be considered to be an expenditure under this section.

(E) Contributions and expenditures made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit for such candidate, shall be treated as contributions or expenditures from such person to such candidate.

(Ord. 1004, passed 11-4-96)

**§ 2.05.110 PROHIBITED RECEIPT OF CONTRIBUTIONS AND EXPENDITURES.**

No candidate or political committee shall knowingly accept any contribution or accept or make any expenditure in violation of this section. No officer or employee of a political committee shall knowingly accept a contribution made for the benefit or use of a candidate or knowingly make an expenditure on behalf of a candidate in violation of this section.

(Ord. 1004, passed 11-4-96)

**§ 2.05.120 DEFINITIONS FOR PURPOSES OF §§ 2.05.090 AND 2.05.100.**

For the purpose of §§ 2.05.090 and 2.05.100 the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CANDIDATE.** An individual who seeks nomination for election or election to any city elective office.

**CONTRIBUTION.** Any gift, subscription, loan, advance, or deposit of money or anything of value made by any person; the term contribution does not include the value of services provided without compensation by any individual who volunteers on behalf of a candidate or a political committee.

**ELECTION.** A general, special, primary, or runoff election; candidacies for any of the listed elections shall be deemed separate and distinct candidates.

**EXPENDITURE.** Any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, or any written contract, promise, or agreement to make an expenditure.

**POLITICAL COMMITTEE.** Any committee, club, association or other group of persons which receives contributions in excess of \$250 or makes expenditures in excess of \$250 for any election. (Ord. 1004, passed 11-4-96)

**§ 2.05.130 ADOPTION OF STATE OFFICIALS AND EMPLOYEES ETHICS ACT.**

(A) The regulations of Sections 5-15 (ILCS Ch. 5, Act 430, § 5-15) and Article 10 (ILCS Ch. 5, Act 430, §§ 10-10 – 10-40) of the State Officials and Employees Ethics Act, ILCS Ch. 5, Act 430, §§ 1-1 et seq., (hereinafter referred to as the “Act” in this section) are hereby adopted by reference and made applicable to the officers and employees of the city to the extent required by ILCS Ch. 5, Act 430, § 70-5.

(B) The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the city is prohibited.

(C) The offering or making of gifts prohibited to be offered or made to an officer or employee of the city under the Act is prohibited.

(D) The participation in political activities prohibited under the Act by any officer or employee of the city is prohibited.

(E) For purposes of this section, the terms “officer” and “employee” shall be defined as set forth in ILCS Ch. 5, Act 430, § 70-5(c).

(F) The penalties for violations of this section shall be the same as those penalties set forth in ILCS Ch. 5, Act 430, § 50-5 for similar violations of the Act.

(G) This section does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of city officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of ILCS Ch. 5, Act 430, § 70-5(a).

(H) Any amendment to the Act that becomes effective after the effective date of this section shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the city.

(I) If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this section shall be repealed as of the date that the Illinois Supreme Court’s decision becomes final and not subject to any further appeals or rehearings. This section shall be deemed repealed without further action by the corporate authorities of the city if the Act is found unconstitutional by the Illinois Supreme Court.

(J) If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this section shall remain in full force and effect; however, that part of this section relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the city.

(Ord. 1317, passed 5-17-04)

## CHAPTER 2.08: MAYOR<sup>1</sup>

### Section

2.08.010	Salary
2.08.015	Per diem
2.08.020	Duties

### § 2.08.010 SALARY.

Effective May 1, 2005, the Mayor's salary shall be \$18,500 per year. ('78 Code, § 2.08.010) (Ord. 29, passed - -61; Am. Ord. 611, passed - -85; Am. Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

### § 2.08.015 PER DIEM.

The Mayor shall be paid \$200 per special City Council meeting attended, and shall be paid \$55 per City Council work session or committee meeting attended. There shall be no limit on the number of special City Council meetings, work sessions or committee meetings per month that the Mayor shall be compensated for. The Mayor shall be allowed four paid absences per year from City Council meetings. ('78 Code, § 2.08.015) (Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

### § 2.08.020 DUTIES.

The Mayor shall have such duties as are provided in this Code or by statute. ('78 Code, § 2.08.020) (Ord. 29, passed - -61)

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<sup>1</sup>For statutory provisions on the election of a city mayor, see ILCS Ch. 65, Act 5, § 3.1-15-10 et. seq.; for provisions outlining the functions and duties of a city mayor, see ILCS Ch. 65, Act 5, § 3.1-35-5 et seq.





**CHAPTER 2.12: ALDERMEN<sup>1</sup>**

Section

- 2.12.010 Compensation
- 2.12.020 Number of aldermen

**§ 2.12.010 COMPENSATION.**

(A) Each Alderman elected in 1999 shall be paid \$100 per City Council meeting actually attended until May 1, 2003. Each Alderman elected in 2001 shall be paid \$150 per City Council meeting actually attended until May 1, 2005. From and after May 1, 2003, each Alderman elected in 2003 shall be paid \$200 per City Council meeting (including special meetings) actually attended. From and after May 1, 2005, each Alderman elected in 2005 shall be paid \$200 per City Council meeting (including special meetings) actually attended.

(B) Until May 1, 2001, each Alderman may be allowed two absences per year. From and after May 1, 2001, each Alderman shall be allowed four paid absences per year. Until May 1, 2003, each Alderman shall be paid \$50 per City Council work session or City Council committee meeting. From and after May 1, 2003, each Alderman shall be paid \$55 per City Council work session or City Council committee meeting. From and after May 1, 2005, each Alderman elected in 2005 shall be paid \$55 per City Council work session or committee meeting. There shall be no limit on the number of work sessions or committee meetings per month for which an Alderman may be paid. In computing yearly absences, the paid absence allowances shall be applied first to regular or special City Council meetings, and then to work sessions or committee meetings.

('78 Code, § 2.12.010) (Ord. 29, passed - -61; Am. Ord. 611, passed - -85; Am. Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1263, passed 9-16-02)

**§ 2.12.020 NUMBER OF ALDERMEN.**

The city shall retain eight aldermen, the number that existed prior to the 2010 federal decennial census, as authorized by the Illinois Municipal Code, ILCS Ch. 65, Act 5, § 3.1-20-10(d). (Ord. 1585, passed 12-19-11)

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<sup>1</sup>For statutory provisions on the election and qualification of city aldermen, see ILCS Ch. 65, Act 5, § 3.1-20-20 *et seq.*



## CHAPTER 2.16: CITY CLERK<sup>1</sup>

### Section

2.16.010	Salary
2.16.015	Per diem
2.16.020	Duties

### § 2.16.010 SALARY.

Effective May 1, 2005, the City Clerk's salary shall be \$9,200 per year. ('78 Code, § 2.16.010) (Ord. 29, passed - -61; Am. Ord. 415, passed - -77; Am. Ord. 611, passed - -85; Am. Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

### § 2.16.015 PER DIEM.

The City Clerk shall be paid \$200 per special City Council meeting attended, and shall be paid \$55 per City Council work session or committee meeting attended. There shall be no limit on the number of special City Council meetings, work sessions or committee meetings per month that the City Clerk shall be compensated for. The City Clerk shall be allowed four paid absences per year from City Council meetings.

(Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

### § 2.16.020 DUTIES.

The City Clerk shall have such duties as are provided in this code or by statute. ('78 Code, § 2.16.020) (Ord. 29, passed - -61)

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<sup>1</sup>For statutory provisions outlining the functions of the City Clerk, see ILCS Ch. 65, Act 5, § 3.1-35-90.



## CHAPTER 2.20: DEPUTY CITY CLERK<sup>1</sup>

### Section

2.20.010	Appointment
2.20.020	Duties
2.20.030	Signature not to be affixed to warrants or bonds
2.20.040	Bond
2.20.050	Salary

### **§ 2.20.010 APPOINTMENT.**

There shall be appointed by the City Clerk, with the consent of the City Council, a Deputy City Clerk. ('78 Code, § 2.20.010) (Ord. 78, passed - -62)

### **§ 2.20.020 DUTIES.**

The Deputy City Clerk shall have all of the duties of the City Clerk, including the authority to sign the name of the City Clerk, to all city documents. However, the Deputy City Clerk shall affix his initials beneath the signature of the City Clerk. ('78 Code, § 2.20.020) (Ord. 78, passed - -62)

### **§ 2.20.030 SIGNATURE NOT TO BE AFFIXED TO WARRANTS OR BONDS.**

The Deputy City Clerk shall not affix the signature of the City Clerk to any tax anticipation warrants or bonds which may be issued by the city hereafter. ('78 Code, § 2.20.030) (Ord. 78, passed - -62)

### **§ 2.20.040 BOND.**

Before the Deputy City Clerk takes office, he must furnish the city with an indemnifying bond in the minimal amount required by ILCS Ch. 65, Act 5, § 3.1-10-30. ('78 Code, § 2.20.040) (Ord. 78, passed - -62)

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<sup>1</sup>For statutory provisions concerning the powers of the Deputy Clerk, see ILCS Ch. 65, Act 5, § 3.1-35-95.

**§ 2.20.050 SALARY.**

There shall be paid to the Deputy City Clerk such salary as is determined by the City Council.  
(‘78 Code, § 2.20.050) (Ord. 78, passed - -62)

## **CHAPTER 2.22: CITY ADMINISTRATOR**

### Section

2.22.010	Creation of office; appointment; term
2.22.020	Qualifications; removal
2.22.030	General duties

### **§ 2.22.010 CREATION OF OFFICE; APPOINTMENT; TERM.**

The office of City Administrator is created. The City Administrator shall be appointed by the Mayor with the advice and consent of the City Council for an indefinite term. The City Administrator serves at the pleasure of the Mayor, who has sole discretion to unilaterally discharge the individual serving in that capacity at any time.

(Ord. 1401, passed 5-15-06)

### **§ 2.22.020 QUALIFICATIONS; REMOVAL.**

The City Administrator shall be chosen on the basis of her or his executive and administrative qualifications, with particular reference to actual experience or knowledge of accepted practices in respect to the duties of this office. The City Administrator need not be an actual resident of the city but proximity and accessibility to the city may be an element in the selection of the City Administrator. The City Administrator may be removed from office at any time by the Mayor.

(Ord. 1401, passed 5-15-06)

### **§ 2.22.030 GENERAL DUTIES.**

The City Administrator shall be the Chief Administrative Officer of the city, and reports to the Mayor who is the Chief Executive Officer of the city. The City Administrator is responsible to the Mayor and the City Council. The City Administrator shall be responsible for and direct the efficient and productive administration of all city departments, under the direction of the Mayor. The duties and responsibilities of the Administrator shall include, but are not limited to the following:

(A) The enforcement and administration of all laws, ordinances and city policies.

(B) The direction and supervision of all city departments, as delegated by the Mayor; the Administrator has the duty and responsibility to direct and coordinate all city-wide and interdepartmental projects, programs, policies, and administrative matters which are applicable to all departments.

(C) Facilitate the facts and evidence to the Civil Service Commission for the hiring, promotion, discipline, and discharge of any non-department head employee of the city (except Police Department employees) unless otherwise provided by the Statutes of Illinois.

(D) Conduct the selection processes and recommend only to the Mayor the appointment, suspension, or removal of all department heads.

(E) Conduct annual performance evaluations of all appointed department heads and other city employees who report to the City Administrator, and, in the absence of a department head due to a vacancy of that position, conduct annual performance evaluations for that department.

(F) Prepare the budget annually with the cooperation and assistance of other city staff and submit it to the Mayor and City Council together with a message describing the important features and be responsible for budget administration after adoption.

(G) Recommend to the Mayor and City Council personnel policies and a standard schedule of pay for each job classification in the city service and coordinate with union negotiations and make recommendations to the Mayor and City Council.

(H) Recommend to the Mayor and City Council adoption of such measures as may be deemed necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.

(I) Responsibility for handling and following up inquiries and/or requests for public services from elected and/or appointed officials of the city as well as from the public at large.

(J) Represent the city at any community or intergovernmental functions as may be directed by the Mayor and City Council.

(K) The attendance at City Council meetings and committee meetings, unless excused by the Mayor, and the right to take part in the discussions at said meetings, but with no right to vote.

(L) The production of required studies and recommendations for the improvement or change of existing or proposed city services or policies.

(M) The City Administrator shall perform additional duties as described specifically in the city's job description for the City Administrator position or may be assigned by the Mayor and/or City Council from time to time.

(N) The City Administrator shall have experience (including grants-in-aid) and procurement of alternate sources of financing in order to continue to provide a high level of municipal services, facilities and infrastructure in a cost-effective manner.

(Ord. 1401, passed 5-15-06)



**CHAPTER 2.24: CITY TREASURER<sup>1</sup>**

Section

2.24.010	Duties
2.24.020	Reserved
2.24.030	Reserved
2.24.040	Reserved
2.24.050	Reserved
2.24.060	Salary
2.24.065	Per diem

**§ 2.24.010 DUTIES.**

The City Treasurer shall have all responsibilities and duties that are provided for in the Illinois Compiled Statutes.  
(‘78 Code, § 2.24.010) (Ord. 133, passed - -65)

**§ 2.24.020 RESERVED.**

**§ 2.24.030 RESERVED.**

**§ 2.24.040 RESERVED.**

**§ 2.24.050 RESERVED.**

**§ 2.24.060 SALARY.**

Effective May 1, 2005, the City Treasurer’s salary shall be \$9,200 per year.  
(‘78 Code, § 2.24.060) (Ord. 29, passed - -61; Am. Ord. 415, passed - -77; Am. Ord. 611, passed - -85; Am. Ord. 875, passed 2-15-93; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

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<sup>1</sup>For statutory provisions outlining the functions and duties of a city treasurer, see ILCS Ch. 65, Act 5, § 3.1-35-40 through 3.1-35-85.

**§ 2.24.065 PER DIEM.**

The City Treasurer shall be paid \$200 per special City Council meeting attended, and shall be paid \$55 per City Council work session or committee meeting attended. There shall be no limit on the number of special City Council meetings, work sessions or committee meetings per month that the City Treasurer shall be compensated for. The City Treasurer shall be allowed four paid absences per year from City Council meetings.

(Ord. 875, passed 2-15-93; Am. Ord. 1002, passed 10-7-96; Am. Ord. 1165, passed 10-16-00; Am. Ord. 1328, passed 10-4-04; Am. Ord. 1351, passed 3-21-05)

## **CHAPTER 26: FINANCE SUPERVISOR**

### Section

2.26.010	Creation of office; appointment
2.26.020	Salary
2.26.030	Duties and responsibilities

### **§ 2.26.010 CREATION OF OFFICE; APPOINTMENT.**

The office of Finance Supervisor is created. The Finance Supervisor shall serve as head of the Treasurers Office and shall be appointed by the Mayor with the advice and consent of the City Council. The Finance Supervisor shall report to the City Administrator.

(Ord. 1689, passed 5-18-15)

### **§ 2.26.020 SALARY.**

The salary of the Finance Supervisor shall be fixed as by the City Council.

(Ord. 1689, passed 5-18-15)

### **§ 2.26.030 DUTIES AND RESPONSIBILITIES.**

The Finance Supervisor shall have the following duties:

(A) Effectuates city financial policies and practices, and represents the city's interests by taking or recommending discretionary actions that effectively control or implement city financial policy.

(B) Supervises and directs the employees of the Treasurer's Office and Utility Billing by consistently using independent judgment for the scheduling of employees, evaluating employee performance, correcting employee deficiencies, and effectively recommending the hiring, suspension, promotion, discharge and discipline of Treasurer's Office and Utility Billing employees.

(C) Management and supervision of month-end processing including but not limited to: journal entries, posting revenue and manual items, reviewing accounts payable and clearing accounts, posting payroll and benefits, reconciling all cash and investment accounts, posting all interest earned, reviewing and producing all monthly financial material listed on Council agendas, accounts payable and payroll posting to general ledger.

(D) Budget preparation through EXCEL, including: revenue estimates, salary and benefit calculations for all employee groups, all year end estimates, posting final numbers to general ledger, City Council presentations at budget sessions, department submittal reviews and meetings, final document, all lines of insurance calculations, debt service reserve calculations.

(E) Audit work-paper preparation including: accounting system year end close, year-end accrual calculations and posting, confirmation letters, capital construction contracts, utility billing calculations.

(F) Payroll quarterly reporting: 941's, IMRF, police pension, unemployment, state and federal, and annual W2's.

(G) Banking duties: daily deposit review, bank reconciliations, all city banking communications, investment monitoring, wire transfers, manual checks.

(H) Attend City Council meetings and work sessions as required. Prepares reports for the Mayor, City Council and City Administrator as required including the following monthly reports to be submitted by the 15th of the month for the previous month:

(1) Statement of receipts and source thereof;

(2) Statement of actual expenditures by general ledger account only; that is. not to include departmental expenditures;

(3) Statement of cash transactions and balances in bank by fund, which statement shall include the following:

(a) Beginning cash balances on first of month, receipts, disbursements and end of month cash balances; and

(b) The end of month balances should be reflected by fund and by bank account, showing the name of the bank, the account name and balance;

(4) A complete list of obligations or accounts payable, including unpaid tax warrants, notes payable, bonds payable or any other balances or obligations payable, including due dates of each obligation.

(I) Bring to the attention of the City Council, at the time a purchase is proposed, the fact that such purchase might result in over-expended appropriation. Transfers between appropriations must be approved by the City Council before such transfer is made.

(J) Supervise verification and payment of invoices, preparation of vouchers, and preparation of accounts payable ledger by vendor and by fund.

(K) Perform other duties as assigned by the City Administrator.  
(Ord. 1689, passed 5-18-15; Am. Ord. 1702, passed 12-21-15)

## CHAPTER 2.28: CITY ATTORNEY

### Section

2.28.010	Appointment
2.28.020	Duties
2.28.030	Compensation

### § 2.28.010 APPOINTMENT.

The City Attorney shall be appointed by the Mayor with approval of the City Council by a majority vote thereof.

(Ord. 1739, passed 6-19-17)

### § 2.28.020 DUTIES.

Duties of the City Attorney are to:

- (A) Advise and assist in the preparation of ordinances, orders and regulations;
- (B) Advise all administrative and legislative officers of the city as to the legality of any proposed action;
- (C) Be responsible for all criminal prosecution by the city, as well as assist and advise the Mayor and all members of the Police Department and City Council, of matters pertinent to law enforcement;
- (D) Represent the city in all legal proceedings in which the city is a party before any court or master in chancery, or before any judicial, administrative or other body; and
- (E) Settle or compromise claims or suits at law or in equity to which the city may be party, either by judgment entry or otherwise, subject to the approval of the City Council.  
(78 Code, 2.28.020) (Ord. 337, passed -73; Am. Ord. 1739, passed 6-19-17)

### § 2.28.030 COMPENSATION.

The compensation of the City Attorney shall be fixed by the City Council from time to time.  
(Ord. 1739, passed 6-19-17)



## **CHAPTER 2.30: ASSISTANT CITY ADMINISTRATOR/HUMAN RESOURCES DIRECTOR**

### Section

2.30.010	Creation of office; appointment
2.30.020	Salary
2.30.030	Duties and responsibilities

### **§ 2.30.010 CREATION OF OFFICE.**

There is hereby created within the city the office of Assistant City Administrator/Human Resources Director who shall be appointed by the Mayor with the advice and consent of the City Council.  
(Ord. 1750, passed 9-18-17)

### **§ 2.30.020 SALARY.**

The salary of the Assistant City Administrator/Human Resources Director shall be fixed by the City Council.  
(Ord. 1750, passed 9-18-17)

### **§ 2.30.030 DUTIES AND RESPONSIBILITIES.**

The Assistant City Administrator/Human Resources Director shall have the following duties:

(A) Perform special projects for the Administrator and members of the management team; develop collaborative relationships with community leaders, elected officials, residents and coworkers.

(B) Assist the City Administrator with daily operations as directed; serve as Acting City Administrator in the absence of the City Administrator.

(C) Manage the operations of the Human Resources Department including preparation of the annual department budget; authorize, oversee and monitor expenditures; plan, coordinate, assign and review work; develop and implement policies and procedures with applicable rules and regulations; coordinate city-wide employee training and development; conduct policy and/or personnel studies as needed.

(D) Compile, analyze, and communicate information pertaining to personnel related matters and/or special projects.

(E) Administer all employee benefits programs (health, dental, life, long-term disability, retirement) including overseeing enrollment, reporting, record keeping and preparation of monthly billing reports; serve as primary liaison to health insurance risk management pool.

(F) Direct the recruitment and selection process including posting and advertising vacancies, civil service test administration, initial screening of candidates, and oversight of the interview process; oversee maintenance of vacancy files and applicant tracking; manage the pre-employment screening process and new employee orientation.

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(G) Direct and oversee labor and employee relations; administer all union contracts; advise management on employee discipline matters and response to grievances; work with outside legal counsel on grievance arbitration; advise department heads on other employee matters relating to work performance; prepare compensation reports and make recommendations for salary adjustments.

(H) Oversee the Workers Compensation Program including claims reporting and investigation, claims processing, record keeping, loss control and alternative work assignments.

(I) Develop and implement personnel policies; train and advise management on policies and policy interpretation; ensure compliance with applicable federal and state employment rules and regulations; investigate complaints relative to city policies on discrimination, conflict of interest, harassment, etc.

(J) Performs other duties as assigned by the City Administrator.  
(Ord. 1750, passed 9-18-17)



## **CHAPTER 2.32: CHIEF OF POLICE**

### Section

2.32.010	Appointment
2.32.020	Civil service status
2.32.030	Probationary period
2.32.040	Salary
2.32.050	Duties
2.32.060	Deputy Chief of Police

### **§ 2.32.010 APPOINTMENT.**

The Chief of Police shall be appointed by the Mayor and approved by a two-thirds vote of the City Council.

('78 Code, § 2.32.010) (Ord. 282, passed - -71)

### **§ 2.32.020 CIVIL SERVICE STATUS.**

With the exception of the Chief of Police employed by the city as to October 1, 1980, no subsequent chiefs of police shall be granted civil service status, nor shall they be subject to the rules and regulations of the civil service commission of the city.

('78 Code, § 2.32.020) (Ord. 282, passed - -71; Am. Ord. 508, passed - -80)

### **§ 2.32.030 PROBATIONARY PERIOD.**

The Chief of Police shall be required to serve a probationary period of one year.

('78 Code, § 2.32.030) (Ord. 282, passed - -71)

### **§ 2.32.040 SALARY.**

The salary of the Chief of Police shall be fixed by the Council by ordinance.

('78 Code, § 2.32.040) (Ord. 282, passed - -71)

### **§ 2.32.050 DUTIES.**

The duties of the Chief of Police shall be as provided by this Code, especially Chapter 2.56, or by statute.

('78 Code, § 2.32.050) (Ord. 282, passed - -71)

**§ 2.32.060 DEPUTY CHIEF OF POLICE.**

(A) There is hereby established the position of Deputy Chief of Police in the City of Crest Hill. The Chief of Police shall have the authority to appoint not to exceed two Deputy Chiefs of Police, subject to the availability of funding for such position as determined by the City Council.

(B) The Deputy Chief of Police position shall be an exempt rank immediately below that of Chief of Police. In order to be appointed to this position, the Chief of Police shall obtain a leave of absence for such individual or individuals from the Civil Service Commission, as provided for under Civil Service Rule IX, Section 4.

(C) The Deputy Chief of Police may be appointed from any rank of a sworn and full-time officer, having at least five years of full-time law enforcement experience in the Crest Hill Police Department.

(D) The Deputy Chief of Police having been appointed from any rank of sworn full time officers of the City of Crest Hill Police Department, shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he currently holds, without having to resign as Deputy Chief of Police.

(E) A Deputy Chief of Police shall serve at the discretion of the Chief of Police and, if removed from the position, shall revert to the classified rank held by the person appointed, without regard as to whether a vacancy exists in that rank.

(Ord. 1498, passed 8-3-09)

**CHAPTER 2.40: BUILDING COMMISSIONER; ZONING OFFICER**

Section

2.40.010	Reference; duties generally
2.40.020	Salary
2.40.030	Office created; appointment
2.40.040	Qualifications for appointment
2.40.050	Duties

**§ 2.40.010 REFERENCE; DUTIES GENERALLY.**

For purposes of this code, “Building Commissioner” and “Zoning Officer” may be used interchangeably, as they refer to the same officer. The Building Commissioner or Zoning Officer shall have such duties as are provided by this code, including but not limited to, this chapter and Chapters 2.44, 2.48 and 2.80.

(‘78 Code, § 2.40.010) (Ord. 199, passed - -67)

**§ 2.40.020 SALARY.**

The Building Commissioner and Zoning Officer shall be fixed as by the City Council.

(‘78 Code, § 2.40.020) (Ord. 199, passed - -67)

**§ 2.40.030 OFFICE CREATED; APPOINTMENT.**

There is created the Office of Building Commissioner. The Office of Building Commissioner shall be by the appointment of the Mayor with the majority consent of the City Council. The Building Commissioner shall report to and take direction from the Director of Public Works or his or her designee.

(‘78 Code, § 2.40.030) (Ord. 199, passed - -67; Am. Ord. 1637, passed 8-5-13; Am. Ord. 1677, passed 12-1-14)

**§ 2.40.040 QUALIFICATIONS FOR APPOINTMENT.**

To occupy the Office of Building Commissioner and Zoning Officer, the person appointed shall have at least ten years of experience in any one or more of the three following occupations:

- (A) Architectural or structural design in a recognized professional office;
- (B) Field superintendence of construction projects for one or more reputable contractors;



(C) Field superintendence and inspection for a recognized professional architect or structural engineer.

(D) In the alternative, the City Council may consider as qualified to hold the office of Building Commissioner and Zoning Officer a candidate who has had at least two years of experience as a Building Commissioner, Deputy Building Commissioner, or Interim Building Commissioner with any municipality within a space of ten years before his permanent appointment with the city.

('78 Code, § 2.40.040) (Ord. 199, passed - -67; Am. Ord. 1369, passed 9-6-05)

#### **§ 2.40.050 DUTIES.**

The Building Commissioner and Zoning Officer shall have the following duties:

(A) Counsel the public on all matters of zoning variances, building code requirements, setbacks, and the like;

(B) Supervise the review of all applications for building permits as to adequacy and compliance with all ordinances, and issue permits;

(C) Review and counsel public on matters relating to nonconforming zoning uses;

(D) Be available and discuss various possibilities with prospective businessmen who wish to locate in the city as regards to zoning and building regulations and also possible rezoning and any other matters brought up by prospective business or professional people;

(E) Have conducted building inspections of general architectural nature and supervise the Plumbing and Electrical Inspectors;

(F) Make up and keep master lists of architectural and mechanical building inspections;

(G) Meet with and discuss various building and zoning matters with committees of the City Council who are designated to study these matters;

(H) Be alert at all times to the possibility of attracting business and industry to the city and be prepared to discuss intelligently the advantages of such a move to these people;

(I) Have periodic tours of the city conducted to observe (as much as possible) the general character of building activity and note the display of permits (also a duty of the police);

(J) Oversee the preparation and issuance of building and occupancy permits;

(K) Oversee the employment of and duties of a sign inspector; supervise the employment of and duties of the Building Inspector.

(L) Attend all public meetings of the city Plan Commission when such meetings deal with zoning appeals.

('78 Code, § 2.40.050) (Ord. 199, passed - -67; Am. Ord. 784, passed - -90)

## **CHAPTER 2.41: BUILDING INSPECTOR**

### Section

2.41.010	Office created; appointment
2.41.020	Salary
2.41.030	Qualifications for appointment
2.41.040	Duties

### **§ 2.41.010 OFFICE CREATED; APPOINTMENT.**

There is hereby created the position of building inspector. This office shall be by the appointment of the Mayor and with the majority consent of the City Council, and shall be a full-time employee not subject to the provisions of the Civil Service Laws or ordinances passed pursuant thereto. The Building Inspector shall be subject to the supervision of the Building Commissioner.

('78 Code, § 2.41.010) (Ord. 783, passed - -90)

### **§ 2.41.020 SALARY.**

The Building Inspector shall be paid such compensation as the City Council shall, from time to time, determine by appropriate resolution.

('78 Code, § 2.41.020) (Ord. 783, passed - -90; Am. Ord. 1520, passed 4-5-10)

### **§ 2.41.030 QUALIFICATIONS FOR APPOINTMENT.**

To hold the position of Building Inspector, the person appointed shall have at least five years experience in building construction, building trades and/or inspections, and a minimum high school graduate education.

('78 Code, § 2.41.030) (Ord. 783, passed - -90; Am. Ord. 1520, passed 4-5-10)

### **§ 2.41.040 DUTIES.**

The Building Inspector shall have the following duties:

(A) Make inspections of all new construction as directed by the Building Commissioner to determine whether the construction complies with all ordinances and building codes of the city;

(B) Make inspections of all existing buildings as directed by the Building Commissioner to determine whether there are any existing code violations, dangerous conditions in any building, or health hazards in any building.

(C) Report as directed to the Building Commissioner, the Mayor, and the City Council concerning his actions or findings concerning any building or zoning violations, dangerous conditions, or health code violations in any new or existing structures.

(D) Check all new construction to determine whether a valid building permit has been issued for the construction and whether the nature of the construction falls within the scope of the permit issued.

(E) Review plans to determine conformance with codes prior to issuance of building permits.

(F) Investigate and respond to property maintenance inquiries or complaints and issue violation notices and administrative compliance tickets.

('78 Code, § 2.41.040) (Ord. 783, passed - -90; Am. Ord. 1520, passed 4-5-10)

## CHAPTER 2.44: ELECTRICAL INSPECTOR<sup>1</sup>

### Section

2.44.010	Office created; appointment
2.44.020	Duties generally
2.44.030	Compensation
2.44.031	Number of inspections per unit
2.44.032	Nature of employment
2.44.040	Qualification requirements
2.44.050	Inspection duties
2.44.060	Proof of inspection
2.44.070	Disapproval of work; Building Commissioner to be notified
2.44.080	Under supervision of Building Commissioner; reports

### § 2.44.010 OFFICE CREATED; APPOINTMENT.

There is created the office of electrical inspector. The Office of Electrical Inspector shall be appointed by the Mayor with the majority approval of the City Council, and shall be considered a part-time employee and not subject to the provisions of an ordinance relating to civil service employment. ('78 Code, § 2.44.010) (Ord. 200, passed - -67)

### § 2.44.020 DUTIES GENERALLY.

The Electrical Inspector shall have such duties as are prescribed generally by this code, including but not limited to this chapter and Chapters 2.40, 2.48 and 2.80. ('78 Code, § 2.44.020)

### § 2.44.030 COMPENSATION.

Compensation for the services of the Electrical Inspector shall be paid on a "per inspection basis" according to the following schedule:

- (A) Single family units: \$40 per inspection;
- (B) Duplexes: \$40 per each duplex unit for each inspection;
- (C) Multi-family units (condominium): \$40 per unit per inspection;

(D) Multi-family (rental) units: \$25 per multi-family unit per inspection. Provided, however, the Electrical Inspector may inspect said units in multiples of two. Also provided that if the owner or developer converts a structure from rental to condominium, during the construction process, each inspection after conversion will be \$40.

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<sup>1</sup>For statutory provisions authorizing a municipality to appoint an electrical inspector and to establish an electrical inspection department, see ILCS Ch. 65, Act 5, § 11-37-1 et seq.





(E) Business/Commercial (strip malls): \$40 per inspection. If the owner, contractor or developer submits his construction for inspection by unit, then each unit shall require a separate inspection and separate inspection fee;

(F) Industrial, office, and large commercial structures (interior malls, shopping center complexes, car dealerships, and the like): \$40 per inspection.

(G) Re-inspections upon disapproval of installation: \$100 per re-inspection. Of that amount, \$50 shall be applied to the inspector's fees and the balance of \$50 shall be paid to the city.  
(‘78 Code, § 2.44.030) (Ord. 200, passed - -67; Am. Ord. 1094, passed 6-7-99; Am. Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)

#### **§ 2.44.031 NUMBER OF INSPECTIONS PER UNIT.**

It is expected that installations for single family, duplex, multi-family and strip mall facilities shall normally require three inspections per unit.  
(Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)

#### **§ 2.44.032 NATURE OF EMPLOYMENT.**

(A) The Electrical Inspector shall make all inspections of new electrical installations, whether the installations be for new or existing construction in a prompt and workmanlike fashion. His response to contractor or owner request for inspection of installation shall be governed by standards of commercial and professional reasonableness consistent with the customs and usages of the electrical trade. Once he has made an inspection, his decision concerning the adequacy or inadequacy of the installation and recommendations for any changes or improvements thereto shall be made promptly. He shall have the power on behalf of the city to stop construction on electrical installations for any reasons consistent with sound electrical practices, including unsafe or unworkmanlike installations, as well as installations that do not conform to applicable electrical or other building codes enforce at the time of inspection. His authority to halt or “red-tag” electrical installations shall be subject to review by the city Building Commissioner.

(B) The Electrical Inspector's inspections and determinations concerning adequacy of electrical installation shall be governed by the relevant codes and his own expertise in the field, and he shall not be directed or controlled by the city in any way with respect to the manner in which he makes his inspections, or comes to his decisions concerning approval or disapproval of work. He shall provide his own tools and his own personal vehicle to the extent that those items are necessary for the performance of his tasks. Times of appointments for inspection of work shall be decided according to his communication with the various contractor, owner, or electrician in question, provided, however, that the city shall have the right to require that his time of response to requests for inspection shall be commercially reasonable and in accordance with custom and usage of the electrical trades.

(C) The Electrical Inspector shall be considered to be an independent contractor and not an employee of the city. The city will not withhold taxes from any payments made to him, and the Electrical Inspector shall be responsible for payment of said taxes. The Electrical Inspector understands and agrees that he will not be covered as an employee for purposes of the Illinois Worker's Compensation Act, nor will he be afforded health insurance or retirement benefits through the city.  
(Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)

**§ 2.44.040 QUALIFICATION REQUIREMENTS.**

The Electrical Inspector shall be a duly qualified journeyman electrician.  
(‘78 Code, § 2.44.040) (Ord. 200, passed - -67)

**§ 2.44.050 INSPECTION DUTIES.**

It shall be the duty of the Electrical Inspector to inspect the electrical wiring being installed in structures newly constructed or in structures being remodeled. Such inspection shall be made after all circuit and roughing in is completed, but before wall and ceiling covering is attached. A further inspection shall be made after the electrical system is connected to fixtures and other electrical appliances. The electrical inspector shall be fully acquainted with the National Electrical Code as published and amended from time to time for the National Board of Fire Underwriters and the provisions of the Crest Hill Electrical Code, and shall base all of his determinations upon the provisions contained therein. The Electrical Inspector shall also take into consideration in arriving at his determinations the generally accepted practices and standards of the electrical trade when not specifically mentioned in the National Electrical Code.

(‘78 Code, § 2.44.050) (Ord. 200, passed - -67; Am. Ord. 794, passed - -91)

**§ 2.44.060 PROOF OF INSPECTION.**

The Electrical Inspector shall approve any installation made by attaching a printed paper sticker to a visible part of the system if it is found to be in good order.

(‘78 Code, § 2.44.060) (Ord. 200, passed - -67)

**§ 2.44.070 DISAPPROVAL OF WORK; BUILDING COMMISSIONER TO BE NOTIFIED.**

If the Electrical Inspector disapproves the work performed, he shall notify the builder of the deficiencies noted and notify the Building Commissioner of his action.

(‘78 Code, § 2.44.070) (Ord. 200, passed - -67)

**§ 2.44.080 UNDER SUPERVISION OF BUILDING COMMISSIONER; REPORTS.**

The Electrical Inspector shall be under the supervision of the Building Commissioner and shall consult and meet with the Building Commissioner as he requires from time to time and furnish such written reports as the Building Commissioner requires from time to time.

(‘78 Code, § 2.44.080) (Ord. 200, passed - -67)



## **CHAPTER 2.48: PLUMBING INSPECTOR<sup>1</sup>**

### Section

2.48.010	Office created; appointment
2.48.020	Duties generally
2.48.030	Compensation
2.48.031	Number of inspections per unit
2.48.032	Nature of employment
2.48.040	Qualifications.
2.48.050	Inspection duties
2.48.051	Inspection of existing structures
2.48.060	Proof of inspection
2.48.070	Disapproval of work; Building Commissioner to be notified
2.48.080	Under supervision of Building Commissioner; reports

### **§ 2.48.010 OFFICE CREATED; APPOINTMENT.**

There is created the office of plumbing inspector. The Office of Plumbing Inspector shall be appointed by the Mayor with the majority of the City Council and shall be considered a part-time employee and not subject to the provisions of an ordinance relating to civil service employment. ('78 Code, § 2.48.010) (Ord. 200, passed - -67)

### **§ 2.48.020 DUTIES GENERALLY.**

The Plumbing Inspector shall have such duties as are prescribed generally by this Code, including but not limited to this chapter and Chapters 2.40, 2.44, and 2.80. ('78 Code, § 2.48.020)

### **§ 2.48.030 COMPENSATION.**

Compensation for the services of the Plumbing Inspector shall be paid on a "per inspection basis" according to the following schedule:

- (A) Single family units: \$40 per inspection;
- (B) Duplexes: \$40 per each duplex unit for each inspection;
- (C) Multi-family units (condominium): \$40 per unit per inspection;

(D) Multi-family (rental) units: \$25 per multi-family unit per inspection, provided, however, the Plumbing Inspector may inspect said units in multiples of two. Also provided that if the owner or developer converts a structure from rental to condominium during the construction process each inspection after conversion will be \$40.

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<sup>1</sup>For statutory provisions authorizing any city to appoint a competent plumbing inspector, see ILCS Ch. 225, Act 320, § 18.



(E) Business/commercial (strip malls): \$40 per inspection. If the owner, contractor or developer submits his construction for inspection by unit, then each unit shall require a separate inspection and separate inspection fee;

(F) Industrial, office, and large commercial structures (interior malls, shopping center complexes, car dealerships, and the like): \$ .01 per square foot. Only one fee shall be charged for the entire square footage regardless of how many phased inspections there are. Provided, however, that re-inspections occasioned by disapproval of part or all of an installation shall be subject to the standard re-inspection fee provided below.

(G) Re-inspections upon disapproval of installation: \$100 per re-inspection. Of that amount, \$50 shall be applied to the inspector's fees and the balance of \$50 shall be paid to the city. ('78 Code, § 2.48.030) (Ord. 200, passed - -67; Am. Ord. 1094, passed 6-7-99; Am. Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)

#### **§ 2.48.031 NUMBER OF INSPECTIONS PER UNIT.**

It is expected that installations for single family, duplex, multi-family and strip mall facilities shall normally require four inspections per unit.  
(Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)

#### **§ 2.48.032 NATURE OF EMPLOYMENT.**

(A) The Plumbing Inspector shall make all inspections of new plumbing installations, whether the installations be for new or existing construction in a prompt and workmanlike fashion. His response to contractor or owner request for inspection of installation shall be governed by standards of commercial and professional reasonableness consistent with the customs and usages of the plumbing trade. Once he has made an inspection, his decision concerning the adequacy or inadequacy of the installation and recommendations for any changes or improvements thereto shall be made promptly. He shall have the power on behalf of the city to stop construction on plumbing installations for any reasons consistent with sound plumbing practices, including unsafe or unworkmanlike installations, as well as installations that do not conform to applicable plumbing or other building codes enforced at the time of inspection. His authority to halt or "red-tag" plumbing installations shall be subject to review by the city Building Commissioner.

(B) The Plumbing Inspector's inspections and determinations concerning adequacy of plumbing installation shall be governed by the relevant codes and his own expertise in the field, and he shall not be directed or controlled by the city in any way with respect to the manner in which he makes his inspections, or comes to his decisions concerning approval or disapproval of work. He shall provide his own tools and his own personal vehicle to the extent that those items are necessary for the performance of his tasks. Times of appointments for inspection of work shall be decided according to his communication with the various contractor, owner, or plumber in question, provided, however, that the city shall have the right to require that his time of response to requests for inspection shall be commercially reasonable and in accordance with custom and usage of the plumbing trades.

(C) The Plumbing Inspector shall be considered to be an independent contractor and not an employee of the city. The city will not withhold taxes from any payments made to him, and the Plumbing Inspector shall be responsible for payment of said taxes. The Plumbing Inspector understands and agrees that he will not be covered as an employee for purposes of the Illinois Worker's Compensation Act, nor will he be afforded health insurance or retirement benefits through the city.  
(Ord. 1260, passed 9-16-02; Am. Ord. 1296, passed 8-18-03)





**§ 2.48.040 QUALIFICATIONS.**

The Plumbing Inspector shall be a duly qualified journeyman or plumber licensed by the state. ('78 Code, § 2.48.040) (Ord. 200, passed - -67)

**§ 2.48.050 INSPECTION DUTIES.**

It shall be the duty of the Plumbing Inspector to inspect all structures in which plumbing work, either new or remodeled, is being done. The Plumbing Inspector shall, in the case of new construction, inspect all sanitary storm drainage and water supply lines after they have been roughed in and before such lines are covered. Further inspection shall be made after the plumbing system has been connected, including connection of plumbing fixtures. The Plumbing Inspector appointed under this chapter must be fully acquainted with the Illinois State Plumbing Code as may be amended from time to time and shall base all of his determinations, requirements and recommendations upon the provisions contained therein, together with generally accepted practices and standards of the plumbing trade not specifically mentioned in the State Plumbing Code.

('78 Code, § 2.48.050) (Ord. 200, passed - -67)

**§ 2.48.051 INSPECTION OF EXISTING STRUCTURES.**

From time to time the Plumbing Inspector or his duly designated assistant shall inspect plumbing work in existing structures in the city to determine whether the plumbing conforms to the specifications of this Code of Ordinances. In making his inspection the plumbing inspector or his assistant shall adhere to the following procedures:

(A) The Plumbing Inspector shall cause the city to publish a notice in a newspaper of general circulation in the county, specifying when approximately inspection or inspections shall take place.

(B) Between one to two weeks after the notice is published, the plumbing inspector or his assistant shall appear at the structure to be inspected, inform the occupant of the structure of his office, and request permission to enter the structure for the purpose of inspecting the plumbing of the structure.

(C) If the Plumbing Inspector is denied access to the structure, either because of the business of the occupant or the refusal of the occupant to admit the Plumbing Inspector for inspection, the Plumbing Inspector shall send to the occupant by certified mail a written notice of the plumbing inspection, stating the date upon which the inspection was attempted and further stating that the Inspector will again request that he be allowed to inspect the premises on the day designated in the written notice. Such written notice shall inform the occupant of the structure that if he fails to allow the Plumbing Inspector or his assistant into the structure on the date set in the notice, the water supply to the structure may be shut off until such time as an inspection is allowed.

(D) On the date and time specified in the written notice of inspection set out in division (C), the Plumbing Inspector or his assistant shall appear at the structure and demand to be admitted to make an inspection of the plumbing. If the Plumbing Inspector or his assistant is refused access to the structure, either because of the business of the occupant or a refusal of the occupant to allow entrance to the structure, the Plumbing Inspector shall send by certified mail a notice to the occupant advising him that the water supply to the structure will be shut off at some time not later than one week from the date of notice. The notice shall also inform the occupant that he can avoid a shutoff of the water supply if before the date of the shutoff he arranges with the Clerk of the city for a time and date for inspection of the premises. The time and date shall be not later than one week from the date upon which the water supply was to be shut off.

(E) Upon inspection of the plumbing in the structure, if the Plumbing Inspector or his assistant discovers any violations of this Code, he shall serve upon the occupant a notice of public plumbing

violation of the city code which notice shall be made in duplicate, and which notice shall have the following form:

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**NOTICE OF INSPECTION OF PLUMBING**

Please take Notice that commencing on October 1, 1979 on Mondays through Saturdays between the hours of 9:00 a.m. and 5:00 p.m. the Crest Hill City Plumbing Inspector or his duly delegated assistant shall inspect the plumbing of single family dwellings, multiple family dwellings, and commercial and business buildings to determine whether the plumbing contains any violations of the Crest Hill City Code and Crest Hill Ordinances. Particularly attention shall be paid to sump pumps in the dwellings to determine whether they conform to city ordinance forbidding the conveyance of surface waters into the sanitary sewer system.

The plumbing Inspector or his assistant will show you an identification card identifying himself and his office. If he shows no such identification, you are not required to allow him to enter your dwelling or place of business.

Failure or refusal of dwelling residents to allow the Plumbing Inspector or his assistant ingress to inspect the plumbing may result in a shut-off of water service to the dwellings involved.

('78 Code, § 2.48.051) (Ord. 486, passed - -79)

**§ 2.48.060 PROOF OF INSPECTION.**

The Plumbing Inspector shall approve any installation made by attaching a printed paper sticker to a visible part of the system if it is found to be in good order.

('78 Code, § 2.48.060) (Ord. 200, passed - -67)

**§ 2.48.070 DISAPPROVAL OF WORK; BUILDING COMMISSIONER TO BE NOTIFIED.**

If the Plumbing Inspector disapproves the work performed, he shall notify the builder of the deficiencies noted and notify the Building Commissioner of his action.

('78 Code, § 2.48.070) (Ord. 200, passed - -67)

**§ 2.48.080 UNDER SUPERVISION OF BUILDING COMMISSIONER; REPORTS.**

The Plumbing Inspector shall be under the supervision of the Building Commissioner and shall consult and meet with the Building Commissioner as he requires from time to time and furnish such written reports as the Building Commissioner requires from time to time.

('78 Code, § 2.48.080) (Ord. 200, passed - -67)

## **CHAPTER 2.50: DIRECTOR OF PUBLIC WORKS; PUBLIC WORKS DEPARTMENT<sup>1</sup>**

### Section

2.50.010	Department of Public Works; created
2.50.020	Department of Public Works; functions; responsibilities
2.50.030	Director of Public Works; duties
2.50.040	Appointment and salary of Director
2.50.050	Deputy Director of Public Works; duties
2.50.060	Appointment and salary of Deputy Director
2.50.070	Supervision of employees
2.50.080	Director of City Services; creation of office; appointment; salary
2.50.090	Director of City Services; duties
2.50.100	Director of Water and Wastewater; creation of office; appointment; salary
2.50.110	Director of Water and Wastewater; duties

### **§ 2.50.010 DEPARTMENT OF PUBLIC WORKS; CREATED.**

The Department of Public Works is hereby created and established. The Department of Public Works shall consist of the Director of Public Works and all secretarial and administrative staff positions authorized by the City Council. The following departments shall constitute the subordinate departments of the Department of Public Works:

(A) Water and Wastewater Department.

(B) Street Department.

(C) Building Department.

(Ord. 1637, passed 8-5-13; Am. Ord. 1677, passed 12-1-14; Am. Ord. 1702, passed 12-21-15)

### **§ 2.50.020 DEPARTMENT OF PUBLIC WORKS; FUNCTIONS; RESPONSIBILITIES.**

The Department of Public Works shall have such functions and responsibilities as are provided generally by this code.

(Ord. 1637, passed 8-5-13)

### **§ 2.50.030 DIRECTOR OF PUBLIC WORKS; DUTIES.**

(A) The Director of Public Works shall have those powers prescribed by law and by ordinance of the city.

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<sup>1</sup>For statutory provisions authorizing the appointment of a Director of Public Works, see ILCS Ch. 65, Act 5, § 3.1-30-5 et seq.

(B) The Director of Public Works shall exercise control over all subordinate departments as set forth in the creation of the Department of Public Works.

(C) The Director of Public Works shall have all charge and supervision over all property, buildings and equipment assigned to the Department of Public Works and its subordinate departments. Except as otherwise provided, the Director of Public Works shall be deemed the head of all principal subordinate departments.

(D) The Director of Public Works shall have charge of all public works and public improvements unless otherwise designated by ordinance.

(E) The Director of Public Works shall undertake the construction, reconstruction and repair of all city streets, alleys, sidewalks, bridges and sewer unless otherwise designated by ordinance.

(F) The Director of Public Works shall review and make recommendations to the Council on matters pertaining to subdivision regulations and annexations.

(G) The Director of Public Works shall administer traffic regulatory functions of the city.

(H) The Director of Public Works, or his designee, shall administer the city's planning and zoning activities and enforce all codes relating hereto.

(I) The Director of Public Works shall administer the city's building code activities.

(J) The Director of Public Works shall have the authority to administer all tickets relating to all violations as described in the city Code of Ordinances and the city Zoning Ordinance.

(K) The Director of Public Works shall have the authority to full access to all financial information and financial programs relating to the Department of Public Works and all subordinate departments.

(L) The Director of Public Works shall perform all duties required in connection with the annual motor fuel tax budget and projects.

(M) The Director of Public Works shall supervise and issue all permits that are related to the Public Works Department and projects of the Public Works Department.

(N) The Director may at his discretion assign employees to such duties and responsibilities within the above named departments as are required.

(O) The Director of Public Works shall formulate and develop ordinances focused on the needs of the office and its programs; provide management direction in the implementation of agency policies and rules; approve development or revision of operational methods and procedures.

(P) The Director of Public Works shall define organizational areas of research, information and data required to aid various managerial decision-making processes.

(Q) The Director of Public Works shall direct budget preparation and expenditure of agency appropriations; make recommendations to the director regarding changes in funding and human resource allocations.

(R) The Director of Public Works shall represent the office at City Council and committee meetings and at various professional and community functions.

(S) Such other duties as may be assigned by the Mayor and/or City Administrator.  
(Ord. 1637, passed 8-5-13)

**§ 2.50.040 APPOINTMENT AND SALARY OF DIRECTOR.**

(A) The Department of Public Works shall be appointed by the Mayor, with the majority consent of the City Council.

(B) The Director's salary shall be as determined by the City Council from time to time.  
(Ord. 1637, passed 8-5-13)

**§ 2.50.050 DEPUTY DIRECTOR OF PUBLIC WORKS; DUTIES.**

Under general direction from the Director of Public Works, the Deputy Director shall assist in planning, organizing, directing and supervising the activities of the Public Works Department. The Deputy Director shall provide expert professional assistance to the Director and other Departments in areas of expertise, including but not limited to, engineering, municipal water, sewer collection, and street and landscape maintenance, and perform such other duties as may be assigned by the Mayor, City Administrator and/or Director of Public Works.

(Ord. 1637, passed 8-5-13; Am. Ord. 1677, passed 12-1-14)

**§ 2.50.060 APPOINTMENT AND SALARY OF DEPUTY DIRECTOR.**

(A) The Deputy Director of Public Works shall be appointed by the Mayor upon recommendation by the Director of Public Works, with the majority consent of the City Council.

(B) The Deputy Director's salary shall be as determined by the City Council from time to time.  
(Ord. 1637, passed 8-5-13; Am. Ord. 1677, passed 12-1-14)

**§ 2.50.070 SUPERVISION OF EMPLOYEES.**

(A) The Director of Public Works through the authority of the Mayor and City Council shall have the responsibility to oversee and direct the Public Works employees and equipment in order to carry out the projects and job assignments as these projects and assignments are scheduled.

(B) The following employees shall also report to the Director of Public Works: Director of City Services, Director of Water and Wastewater, Building Commissioner and Building Inspector.  
(Ord. 1637, passed 8-5-13; Am. Ord. 1677, passed 12-1-14; Am. Ord. 1702, passed 12-21-15)

**§ 2.50.080 DIRECTOR OF CITY SERVICES; CREATION OF OFFICE; APPOINTMENT; SALARY.**

The office of Director of City Services is hereby created. The Director of City Services shall be appointed by the Mayor with the confirmation of the City Council by a majority vote thereof and shall

report directly to the Director of Public Works. The salary of the Director of City Services shall be determined by Council.  
(Ord. 1677, passed 12-1-14)

**§ 2.50.090 DIRECTOR OF CITY SERVICES; DUTIES.**

Under general direction from the Director of Public Works, the Director of City services shall assist in planning, organizing, directing and supervising the activities of the Public Works Department. The Director of City Services shall be the head of the Street Department and the Building Department. The Director of City Services shall provide expert professional assistance to the Director and other Departments in areas of expertise, including but not limited to, construction engineering, building/development reviews, garbage collection, utility billing and such other duties as may be assigned by the Mayor, City Administrator and/or Director of Public Works.  
(Ord. 1677, passed 12-1-14; Am. Ord. 1702, passed 12-21-15)

**§ 2.50.100 DIRECTOR OF WATER AND WASTEWATER; CREATION OF OFFICE; APPOINTMENT; SALARY.**

The office of Director of Water and Wastewater is hereby created. The Director of Water and Wastewater shall be appointed by the Mayor with the confirmation of the City Council by a majority vote thereof and shall report directly to the Director of Public Works. The salary of the Director of Water and Wastewater shall be determined by Council.  
(Ord. 1677, passed 12-1-14)

**§ 2.50.110 DIRECTOR OF WATER AND WASTEWATER; DUTIES.**

Under general direction from the Director of Public Works, the Director of Water and Wastewater shall assist in planning, organizing, directing and supervising the activities of the Public Works Department, including acting as the "Responsible Operator in Charge" for the water and wastewater licenses. The Director of Water and Wastewater shall be the head of the Water and Wastewater Department. The Director of Water and Wastewater shall provide expert professional assistance to the Director and other Departments in areas of expertise, including but not limited to, water and wastewater, sewage treatment plant infrastructure planning and construction, and perform such other duties as may be assigned by the Mayor, City Administrator and/or Director of Public Works.  
(Ord. 1677, passed 12-1-14)

## **CHAPTER 2.52: STREET DEPARTMENT**

### Section

2.52.010	Street Department; created
2.52.020	Street Department; functions; responsibilities
2.52.030	Street Department; hiring of additional employees
2.52.040	Use of Street Department employees
2.52.050	Supervision of street maintenance and repair

### **§ 2.52.010 STREET DEPARTMENT; CREATED.**

A Street Department is created. The Street Department shall be responsible for supervising the repair and maintenance of existing streets and the construction of new streets.

('78 Code, § 2.52.030) (Ord. 66, passed - -62; Am. Ord. 1637, passed 8-5-13)

### **§ 2.52.020 STREET DEPARTMENT; FUNCTIONS; RESPONSIBILITIES.**

The Street Department shall have such functions and responsibilities as are provided generally by this code.

('78 Code, § 2.52.020) (Ord. 66, passed - -62; Am. Ord. 1637, passed 8-5-13)

### **§ 2.52.030 STREET DEPARTMENT; HIRING OF ADDITIONAL EMPLOYEES.**

Additional employees shall be hired from time to time upon the recommendation of the Director of Public Works with the consent of the City Council.

('78 Code, § 2.52.040) (Ord. 66, passed - -62; Am. Ord. 1637, passed 8-5-13)

### **§ 2.52.040 USE OF STREET DEPARTMENT EMPLOYEES.**

It shall be the duty of the Director of Public Works to make recommendations and suggestions to the City Council regarding the use of employees and the amount of money needed to carry out the functions of the Street Department. Employees shall only be employed, and their salaries fixed, as the City Council shall direct by motion.

('78 Code, § 2.52.050) (Ord. 70, passed - -62; Am. Ord. 1637, passed 8-5-13)



**§ 2.52.050 SUPERVISION OF STREET MAINTENANCE AND REPAIR.**

All maintenance and repair of public streets, alleys, sidewalks, and other public ways shall be under the supervision of the head of the Department. He shall be charged with the enforcement of all ordinance provisions relating to such public places (except traffic ordinances) and is authorized to enforce such ordinances.

('78 Code, § 2.52.060) (Ord. 70, passed - -62; Am. Ord. 1637, passed 8-5-13)

## **CHAPTER 2.54: WATER AND WASTEWATER DEPARTMENT**

### Section

- 2.54.010 Water and Wastewater Department
- 2.54.020 Duties of the Water and Wastewater Department

### **§ 2.54.010 WATER AND WASTEWATER DEPARTMENT.**

There is created a Water and Wastewater Department. The Department shall have such functions and responsibilities as are provided generally by this code and specifically by this chapter. ('78 Code, § 2.54.010) (Ord. 698, passed - -88; Am. Ord. 1637, passed 8-5-13)

### **§ 2.54.020 DUTIES OF THE WATER AND WASTEWATER DEPARTMENT.**

The Water and Wastewater Department, through the head of the Department, shall have duties including but not limited to the following:

(A) Operate and maintain the wells and wastewater treatment plants within the city which service the city. As to the maintenance of the wells and treatment plants, compliance with all state and federal guidelines, including guidelines set by the Federal Environmental Protection Agency, the Illinois Environmental Protection Agency and the U.S. Army Corps of Engineers.

(B) Submit all required reports to the Illinois and the Federal Environmental Protection Agencies.

(C) Subject to the supervision of the Mayor, set the long-range and short-range goals to be met by the Department.

(D) Subject to the supervision of the Mayor, suggest job qualifications for the employees of the Department, including the positions of potable water operator, assistant operator and maintenance assistant, should these positions be created by the City Council. Further cooperate with the Crest Hill Civil Service Commission concerning the receipt of applications for positions in the Department, and the interview and testing of applicants.

(E) Report to the City Council as the Council deems advisable, and in the absence of any other direction to the contrary by the Council, shall report at each regularly scheduled City Council meeting. (Ord. 1637, passed 8-5-13)

[Chapter 2.56 begins on Page 41]



**CHAPTER 2.56: POLICE DEPARTMENT<sup>1</sup>**

Section

- 2.56.010 Created
- 2.56.020 Composition
- 2.56.030 Appointment and removal of Chief
- 2.56.040 Chief to be City Marshal and Superintendent of Police
- 2.56.050 Duties of Chief
- 2.56.060 General duties
- 2.56.070 Conduct of members
- 2.56.080 Witness fees
- 2.56.090 Service of process
- 2.56.100 Regulations governing department
- 2.56.110 Custody, of lost, abandoned, or stolen property
- 2.56.120 Sale of lost, abandoned or stolen property; notice
- 2.56.130 Sale of lost, abandoned, or stolen property; proceeds
- 2.56.140 Recovery of property by owner
- 2.56.150 Property seized as a result of search
- 2.56.160 Provision for custody of property
- 2.56.170 Applicability of §§ 2.56.110 through 2.56.160
- 2.56.180 Community service officer
- 2.56.190 Special event police services

**§ 2.56.010 CREATED.**

There is hereby created a Police Department, which shall be an executive department of the city.

**§ 2.56.020 COMPOSITION.**

The Police Department shall consist of the Chief of Police and such other members as may be provided for by the City Council from time to time.

**§ 2.56.030 APPOINTMENT AND REMOVAL OF CHIEF.**

There is hereby created the office of Chief of Police.

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<sup>1</sup>For statutory provisions concerning the qualifications of police officers, see ILCS Ch. 65, Act 5, § 10-2.1-4 et seq.; for provisions authorizing municipalities to prescribe the duties and powers of police officers, see ILCS Ch. 65, Act 5, § 11-1-2.

(A) The Chief of Police shall be appointed by the Mayor by and with the advice, consent, and approval of the City Council.

(B) The Chief of Police may be removed from office as provided by law.

(C) If a Chief of Police who has been so removed from office and he was a member of the Police Department at the time of his original appointment, he may resume his position in the department at the same rank he held at the time of his appointment.

#### **§ 2.56.040 CHIEF TO BE CITY MARSHAL AND SUPERINTENDENT OF POLICE.**

The Chief of Police shall be ex officio City Marshal and Superintendent of Police.

#### **§ 2.56.050 DUTIES OF CHIEF.**

The Chief of Police shall keep such records and make such reports concerning the activities of his department as may be required by statute or ordinance. He shall be responsible for the performance of all the functions of the department, and all members of the department shall serve subject to his orders.

#### **§ 2.56.060 GENERAL DUTIES.**

It shall be the duty of the members of the Police Department to see to the enforcement of all ordinances of the city, of all statutes effective in the city, and to preserve order and prevent infractions of the law and to arrest violators thereof. Every member of the Police Department is hereby declared a conservator of the peace.

#### **§ 2.56.070 CONDUCT OF MEMBERS.**

It shall be the duty of every member of the Police Department to conduct himself in a proper and law-abiding manner and to avoid the use of unnecessary force.

#### **§ 2.56.080 WITNESS FEES.**

Any member of the Police Department shall appear as a witness whenever it is necessary in the prosecution of the violation of a city ordinance or a state or federal law. No member shall receive any witness fee for such service in any action a suit to which the city is a party; and all such fees paid for such services shall be turned over to the City Treasurer.

#### **§ 2.56.090 SERVICE OF PROCESS.**

The Chief of Police shall be authorized to serve writs, summons and other processes, but no other member of the department shall serve any such summons or process except on the order of the Chief of Police or of the Mayor.

**§ 2.56.100 REGULATIONS GOVERNING DEPARTMENT.**

The Chief of Police may make or prescribe such rules and regulations for the guidance of the members of the Police Department as he shall see fit.

**§ 2.56.110 CUSTODY OF LOST, ABANDONED, OR STOLEN PROPERTY.**

Property, except property governed by § 2.56.150, believed to be abandoned, lost or stolen or otherwise illegally possessed, shall be retained in custody by the Chief of Police who will make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession thereof, and he shall return the property after the person provides reasonable and satisfactory proof of his ownership or right to possession and reimburses the agency for all reasonable expenses of such custody. The Chief of Police shall keep a record of all property which may be seized or otherwise taken possession by the Police Department.

**§ 2.56.120 SALE OF LOST, ABANDONED, OR STOLEN PROPERTY; NOTICE.**

If the identity or location of the owner or other person entitled to possession of the property has not been ascertained within six months after the Police Department obtains possession of the property, the Chief of Police shall effectuate the sale of the property for cash to the highest bidder at a public auction, notice of which, including time, place and a brief description of the property, shall be published at least once in a newspaper of general circulation in the county at least 10 days prior to the auction. Property offered but not sold at the public auction may be offered and sold at a subsequent public auction without notice.

**§ 2.56.130 SALE OF LOST, ABANDONED, OR STOLEN PROPERTY; PROCEEDS.**

Proceeds of the sale of the property at public auction, less reimbursement to the Police Department of the reasonable expenses of custody thereof, shall be deposited in the treasury of the city.

**§ 2.56.140. RECOVERY OF PROPERTY BY OWNER.**

The owner or other person entitled to possession of the property may claim or recover possession of the property at any time before its sale at public auction, upon providing reasonable and satisfactory proof of ownership or right to possession and reimbursing the law enforcement agency for all reasonable expenses of custody thereof.

**§ 2.56.150 PROPERTY SEIZED AS RESULT OF SEARCH.**

When property is seized as a result of a search, a return of the property shall be made to the judge named to the search warrant or to any court of competent jurisdiction. An inventory of the property seized shall be made and signed under oath by the police officer executing the search warrant.

**§ 2.56.160 PROVISION FOR CUSTODY OF PROPERTY.**

The court or judge before whom the return of the property was made shall enter an order providing for the custody of the property.

**§ 2.56.170 APPLICABILITY OF §§ 2.56.110 THROUGH 2.56.160.**

None of the provisions of §§ 2.56.110 through 2.56.160 shall apply to pistols, revolvers, Bowie knives, dirks, slingshots, metallic knuckles, or other deadly weapons of any character which are confiscated or held in evidence by the police incident to a criminal prosecution or investigation of the possessor or owner of such weapon. All such weapons, except those that the Chief of Police deems to be of use to the department of police for use of the department or those he determines shall be returned to a lawful owner thereof, shall, within six months after receipt, be destroyed by a method deemed acceptable to the Chief of Police.

**§ 2.56.180 COMMUNITY SERVICE OFFICER.**

(A) *Recitals.* The preamble of Ordinance 1589 is declared to be true and correct and is incorporated by reference herein.

(B) *Applicant requirements.* In order to be eligible for the position of Community Service Officer, the applicant must possess the following qualifications:

- (1) Be a United States Citizen
- (2) Obtained the age of 21 or older
- (3) Possess a high school diploma or the equivalent
- (4) Possess and maintain a valid Illinois driver's license
- (5) Pass a medical examination and drug screening.
- (6) Walk, stand and sit for long periods of time.
- (7) Possess adequate verbal and written communication skills
- (8) The ability to work well with others as well as independently.

(9) Not have been convicted of a felony, serious misdemeanor or other crime, involving poor moral character.

(C) *Position of Community Service Officer established.*

(1) There is hereby established the position of Community Service Officer in the City of Crest Hill. The Chief of Police shall have the authority to hire either full or part-time community service officers subject to the availability of funding for such position as approved by the Mayor and City Council.

(2) The Community Service Officer(s) shall be subject to all Civil Service rules of the City.

(3) The Community Service Officer position shall be filled from a list created for the position, as required by the Civil Service Commission.

(D) *Effective date.* This section shall be effective upon its passage and approval as provided by law. (Ord. 1589, passed 2-21-12)

**§ 2.56.110 SPECIAL EVENT POLICE SERVICES.**

(A) Any organization that wishes to hire City of Crest Hill Officers must enter into the "Special Event Police Services Agreement" attached Exhibit A to Ordinance 1718 and incorporated by reference herein.

(B) Any special event where officers may be hired must take place within the City of Crest Hill city limits, or St. Joseph Park, 700 Theodore St., Joliet, IL 60435.

(C) Any organization that wishes to hire City of Crest Hill Officers for special events outside City of Crest Hill city limits must be an organization with its principal office based in the city. (Ord. 1718, passed 10-3-16)





**CHAPTER 2.60: BOARD OF FIRE AND POLICE COMMISSIONERS<sup>1</sup>**

Section

- 2.60.010 Duties; powers
- 2.60.020 Incorporation of state statutes by reference

**§ 2.60.010 DUTIES; POWERS.**

The Board of Fire and Police Commissioners shall have such duties and powers as are provided in ILCS Ch. 65, Act 5 §§ 10-2.1-1 through 10-2.1-30.  
(‘78 Code, § 2.60.010)

**§ 2.60.020 INCORPORATION OF STATE STATUTES BY REFERENCE.**

The city incorporates by reference the provisions of ILCS Ch. 65, Act 5 §§ 10-2.1-1 through 10-2.1-30, or its later equivalent.  
(‘78 Code, § 2.60.020)

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<sup>1</sup>For statutory provisions concerning the appointment of and powers and duties of a board of fire and police commissioners, see ILCS Ch. 65, Act 5, § 10-2.1-1 et seq.



## CHAPTER 2.64: POLICE PENSION BOARD<sup>1</sup>

### Section

- 2.64.010 Membership; appointment
- 2.64.020 Duties

#### **§ 2.64.010 MEMBERSHIP; APPOINTMENT.**

There shall be a police pension board consisting of five members. Of these members, two shall be appointed by the Mayor, serving terms of two years each; two shall be elected from the active participants of the pension fund by such active participants; and one shall be elected from the beneficiaries of the pension. Each member selected shall hold office for the term, and the Board shall have the powers and duties set forth in Article 3 of the Illinois Pension Code, being ILCS Ch. 40, Act 5, § 3-101 et seq. ('78 Code, § 2.64.010) (Ord. 47, passed - -61)

#### **§ 2.64.020 DUTIES.**

It shall be the duty of the members of the Police Pension Board to manage, invest and control the police pension fund and all moneys pertaining thereto in the manner provided by state statute. ('78 Code, § 2.64.020) (Ord. 47, passed - -61)

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<sup>1</sup>For statutory provisions regulating policemen's pension funds and authorizing the establishment of a board of trustees for the fund, see ILCS Ch. 40, Act 5, § 3-101 et seq.



## **CHAPTER 2.72: CIVIL SERVICE COMMISSION<sup>1</sup>**

### Section

- 2.72.010 Statutory provisions adopted by reference
- 2.72.020 Applicability of statutory provisions
- 2.72.030 Classification of police officers
- 2.72.040 Membership; compensation

### **§ 2.72.010 STATUTORY PROVISIONS ADOPTED BY REFERENCE.**

The city adopts by reference the provisions of ILCS Ch. 65, Act 5 §§ 10-1-1 through 10-1-48, wherein the statutory provisions are applicable to the city.

('78 Code, § 2.72.010) (Ord. 178, passed - -67)

### **§ 2.72.020 APPLICABILITY OF STATUTORY PROVISIONS.**

Employees of the city shall come within the provisions of ILCS Ch. 65, Act 5 §§ 10-1-1 through 10-1-48, excepting therefrom all elected officials or appointees to the various agencies and boards of the municipality, judges of elections, members of the Law Department and Engineering Department.

('78 Code, § 2.72.020) (Ord. 178, passed - -67)

### **§ 2.72.030 CLASSIFICATION OF POLICE OFFICERS.**

All police officers of the city of the grade of captain or below shall be classified and made subject to the provisions of the Illinois Civil Service Act found in the ILCS Ch. 65, Act 5 §§ 10-1-1 through 10-1-48. Police officers above the grade of captain, including the Chief of Police, shall be subject to the civil service exemption as provided in the ILCS Ch. 65, Act 5 § 10-1-17. No officers above the grade of captain shall be subject to or have the advantage of rules of the Civil Service Commission, with the exception that the Chief of Police holding office as of October 1, 1980, shall be subject to and have the advantage of the jurisdiction of the Civil Service Commission. Upon his replacement, any subsequent Chief of Police shall not be subject to the Civil Service Commission.

('78 Code, § 2.72.030) (Ord. 178, passed - -67)

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<sup>1</sup>For statutory provisions regulating civil service in cities, see ILCS Ch. 65, Act 5, § 10-1-1 et seq.

**§ 2.72.040 MEMBERSHIP; COMPENSATION.**

(A) The Civil Service Commission of the city shall consist of three members as provided by law. The members shall elect a chairperson to preside over the meetings. The Commission shall be governed by their own by-laws.

(B) The Chairman of the Civil Service Commission shall be paid the sum of \$50 per month, based on the commission having six regular meetings per year. The Chairman of the Civil Service Commission shall be allowed two excused absences from meetings per calendar year. Additionally, the Chairman of the Civil Service Commission shall be paid \$50 per special meeting attended.

(C) The regular members of the Civil Service Commission shall be paid the sum or \$40 per month, based on the commission having six regular meetings per calendar year. The regular members of the Civil Service Commission shall be allowed two excused absences from meetings per calendar year. Additionally, the regular members of the Civil Service Commission shall be paid \$40 per special meeting attended.

('78 Code, § 2.72.040) (Ord. 1093, passed 5-17-99)

## **CHAPTER 2.76: LIQUOR CONTROL COMMISSIONER<sup>1</sup>**

### Section

2.76.010	Designated; powers
2.76.020	Power to issue regulations
2.76.030	Salary

### **§ 2.76.010 DESIGNATED; POWERS.**

The Mayor is designated as the Local Liquor Control Commissioner for the city. The Local Liquor Control Commissioner shall have the power set forth by state statutes.  
(‘78 Code, § 2.76.010)

### **§ 2.76.020 POWER TO ISSUE REGULATIONS.**

The Local Liquor Control Commission is empowered to issue such reasonable regulations providing safeguards for the protection of patrons of licensees as he shall deem necessary.  
(‘78 Code, § 2.76.020)

### **§ 2.76.030 SALARY.**

The Liquor Control Commissioner’s salary shall be \$1,500 per year.  
(‘78 Code, § 2.76.030) (Ord. 611, passed - -85)

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<sup>1</sup>For statutory provisions relating to the appointment, duties and powers of local liquor control commissioners, see ILCS Ch. 235, Act 5, §§ 4-2 through 4-7.





## **CHAPTER 2.80: PLAN COMMISSION<sup>1</sup>**

### Section

2.80.010	Created
2.80.020	Purpose
2.80.030	Membership
2.80.040	Compensation
2.80.050	Organization; election of officers; records to be kept; annual report
2.80.060	Powers and duties
2.80.070	City Clerk to furnish commission with pertinent ordinances
2.80.080	Expenditures; procedure for obtaining funds

### **§ 2.80.010 CREATED.**

There is created a plan commission for the city. The Plan Commission shall have such powers and responsibilities as are provided generally in this Code, including but not limited to §§ 2.80.020 through 2.80.090.

('78 Code, § 2.80.010)

### **§ 2.80.020 PURPOSE.**

In order that adequate provision be made for the preparation of a comprehensive city plan for guidance, direction and control of the growth and development of the city, a Plan Commission, which shall be a department of the city government, is created under authority of the Illinois Compiled Statutes.

('78 Code, § 2.80.020) (Ord. 49, passed - -61)

### **§ 2.80.030 MEMBERSHIP.**

(A) The Plan Commission shall consist of seven members appointed by the Mayor of the city, and confirmed by the City Council. The term of office shall be three years and may be renewed for another term by mutual consent of the Mayor and member, subject to confirmation of the City Council. Vacancies shall be filled, or members may be removed by the Mayor for cause after written charges have been filed, and after a public hearing has been held if demanded by the member so charged.

(B) The members shall elect a chairperson, vice-chairperson, and secretary to serve for one year. The Commission shall be governed by their own bylaws.

('78 Code, § 2.80.030)

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<sup>1</sup>For statutory provisions governing the creation, composition and powers of plan commissions, see ILCS Ch. 65, Act 5, § 11-12-4 et seq.

**§ 2.80.040 COMPENSATION.**

(A) The Chairman of the Plan Commission shall be paid the sum of \$50 per month, based on the commission having twelve regular meetings per calendar year. The Chairman of the Plan Commission shall be allowed two excused absences from meetings per calendar year. Additionally, the Chairman of the Plan Commission shall be paid \$50 per special meeting attended.

(B) The regular members of the Plan Commission shall be paid the sum of \$40 per month, based on the commission having twelve regular meetings per calendar year. The regular members of the Civil Service Commission shall be allowed two excused absences from meetings per calendar year. Additionally, the regular members of the Plan Commission shall be paid \$40 per special meeting attended.

('78 Code, § 2.80.030) (Ord. 1093, passed 5-17-99)

**§ 2.80.050 ORGANIZATION; ELECTION OF OFFICERS; RECORDS TO BE KEPT; ANNUAL REPORT.**

Immediately following their appointment, the members of the Plan Commission shall meet, organize and elect such officers as it may deem necessary, and adopt and later change or alter rules and regulations of organization and procedure consistent with city ordinances and state laws. The Commission shall keep written records of its proceedings, which shall be open at all times to public inspection. The Commission shall also file an annual report with the Mayor and City Council setting forth its transactions and recommendations.

('78 Code, § 2.80.040) (Ord. 49, passed - -61)

**§ 2.80.060 POWERS AND DUTIES.**

(A) The powers and duties of the Plan Commission are as follows:

(1) Make recommendations to the City Council concerning proposed basic changes in the zoning ordinance;

(2) Make careful inquiry and investigation, conduct public hearing and make recommendations concerning petitions for the rezoning of specific lots, parcels or tracts of land;

(3) Hear and decide appeals where it is alleged there is an error of law in an order, requirement, decision or determination made by the Zoning Officer in the enforcement of the zoning ordinance.

(4) Permit the extension of a zone where the boundary line of a zone divides a lot in single ownership at the time of the adoption of the zoning ordinance. Where a zone boundary line divides a lot or parcel of land in single ownership, the regulations for either portion of the lot may extend to the entire lot, but not in any case more than 25 feet beyond the boundary line of the zone, except by hearing before the Plan Commission as specified above;

(5) Interpret the provisions of the zoning ordinance in such a way as to carry out the intent and purpose of the plan, as shown on the zoning map and made a part of the zoning ordinance, should the street layout actually on the ground vary from the layout as shown on the map aforesaid;

(6) Hear evidence in controversial cases concerning the proposed splitting of lots to determine whether or not the proposed division of land is in conflict with the provisions of the zoning ordinance;

(7) Permit the reconstruction of a nonconforming building or structure which has been damaged by explosion, fire or act of God, to the extent of more than 50% of its assessed value, and where the commission finds some compelling necessity requiring a continuance of the nonconforming use is not to perpetuate a monopoly;

(8) Permit a variation in yard requirements of any property where there are unusual practical difficulties or unintentional hardships in carrying out the exact letter of the provisions of the Zoning Ordinance due to irregularly shaped lot, topographical or other conditions not common to other property in the neighborhood, and provided such variation will not seriously affect adjoining property or the general welfare. No variation shall be made except in a specific case and after a public hearing before the Plan Commission, of which there shall be due notice as provided above;

(9) Permit modification of the height and/or area regulations as may be necessary to serve an appropriate improvement of a lot which is of such shape, or so located in relation to adjacent development or physical characteristics that it cannot otherwise be appropriately improved without such modification;

(10) Authorize, upon appeal, whenever a property owner can show that a strict application of the terms of the zoning ordinance relating to the use, construction or alteration of buildings or structures to the use of land, will impose upon him unusual practical difficulties and particular hardships, such variation of the strict application of the terms of the Zoning Ordinance are in harmony with its general purpose and intent; but only when the Commission is satisfied that the granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some evident and unusual hardship or difficulty so great as to warrant a variation from the comprehensive plan as established by the Zoning Ordinance, and at the same time surrounding property will not be thereby adversely affected;

(11) Permit temporary buildings and structures in residential and business zones for a period not to exceed one year for the use and convenience of contractors engaged in construction work in such areas. Such permits may be extended once for an additional period of six months at the discretion of the Plan Commission.

(B) In exercising the above powers, the Plan Commission may reverse or affirm, wholly or in part, or may modify the order, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the power of the Zoning Officer from whom the appeal is taken.

('78 Code, § 2.80.060)

**§ 2.80.070 CITY CLERK TO FURNISH COMMISSION WITH PERTINENT ORDINANCES.**

The City Clerk shall furnish the Plan Commission, for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Plan Commission may report in relation thereto, if it deems a report necessary or advisable, for the consideration of the City Council.

('78 Code, § 2.80.070) (Ord. 49, passed - -61)

**§ 2.80.080 EXPENDITURES; PROCEDURE FOR OBTAINING FUNDS.**

The Plan Commission may at the discretion of the City Council employ necessary help whose salaries, wages and other necessary expenses shall be provided for by adequate appropriation made by the City Council from the public funds. If the Plan Commission deems it advisable to secure technical advice or services, it may be done upon authority from the City Council and appropriations by the City Council therefor.

('78 Code, § 2.80.080) (Ord. 49, passed - -61)

## **CHAPTER 2.84: MUNICIPAL EMPLOYEES**

### Section

- 2.84.010      Residency requirement
- 2.84.020      Appointment of employees; salaries

### **§ 2.84.010 RESIDENCY REQUIREMENT.**

It shall not be a requirement of employment that municipal employees reside within the corporate limits of the city. They shall, however, be required to reside within a reasonable distance of the corporate limits of the city, and the department supervisor shall be the sole judge of what constitutes a reasonable distance using as a guide there for the work required to be performed, the ability of the employee to adequately perform the work, the likelihood of time lost, tardiness, the availability of transportation and the nature of the duties of the prospective employees.

('78 Code, § 2.84.010) (Ord. 280, passed - -71)

### **§ 2.84.020 APPOINTMENT OF EMPLOYEES; SALARIES.**

(A) The Mayor may appoint, with the consent of a majority of the City Council members voting on the issue, such other employees as he may deem necessary to facilitate the efficient operation of the city. Salaries of such employees shall be fixed by the Mayor with the consent of a majority of voting City Council members.

(B) Other city officers may appoint such employees as the officers are specifically empowered by this code to appoint.  
(‘78 Code, § 2.84.020)



**CHAPTER 2.86: PERSONNEL POLICY MANUAL ADOPTION**

Section

2.86.010 Adoption

**§ 2.86.010 ADOPTION.**

The city hereby adopts and incorporates by reference in this chapter the city personnel policy manual, the original copy of which is attached to the ordinance codified in this section and incorporated by reference into this chapter.

('78 Code, § 2.86.010) (Ord. 559, passed - -82)





**CHAPTER 2.88: ILLINOIS MUNICIPAL RETIREMENT FUND<sup>1</sup>**

Section

2.88.010 Participation by city

**§ 2.88.010 PARTICIPATION BY CITY.**

The city elects to participate in the Illinois Municipal Retirement Fund, according to the provisions of Article 7 of the Illinois Pension Code, being ILCS Ch. 40, Act 5, § 7-101 et seq. ('78 Code, § 2.88.010) (Ord. 313, passed - -72)

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<sup>1</sup>For statutory provisions pertaining to the Illinois Municipal Retirement Fund, see ILCS Ch. 40, Act 5, § 7-101 et seq.



**CHAPTER 2.92: ACTIONS AGAINST THE CITY**

Section

2.92.010 City to pay expenses

**§ 2.92.010 CITY TO PAY EXPENSES.**

The city shall pay all reasonable attorney's fees, court costs and other related expenses incurred as a result of any dispute arising out of the operation of the city, or interpretations of its ordinances and/or other actions among, by, and/or between the Aldermen, City Clerk, Treasurer and Mayor of the city. ('78 Code, § 2.92.010) (Ord. 427, passed - -77)



## **CHAPTER 2.94: COMMUNITY DEVELOPMENT DIRECTOR**

### Section

2.94.010	Creation of office; appointment
2.94.020	Salary
2.94.030	Duties and responsibilities

### **§ 2.94.010 CREATION OF OFFICE; APPOINTMENT.**

The office of Community Development Director is created. The Community Development Director shall be appointed by the Mayor with the advice and consent of the City Council. The Community Development Director shall report to the City Administrator.

(Ord. 1811, passed 6-3-19)

### **§ 2.94.020 SALARY.**

The salary of the Community Development Director shall be fixed by the City Council.

(Ord. 1811, passed 6-3-19)

### **§ 2.94.030 DUTIES AND RESPONSIBILITIES.**

The Community Development Director shall have the following duties:

(A) Plan, organize, and direct the programs, activities, and operations of the Department including the enforcement of building, zoning, property maintenance and nuisance ordinances.

(B) Supervise, train, and evaluate Department personnel.

(C) Develop Department annual budget, review budget expenditures, and organize projects to remain within budget.

(D) Aggressively recruits new industrial and commercial businesses for the community. Serves as the public relations and economic development liaison to the local, regional and national press. Performs various public relation activities to promote the City of Crest Hill at local, regional and state levels. Represents the city at trade associations and seminars.

(E) Plans, evaluates and implements activities which foster economic development in the city and its planning area.

(F) Plans and implements projects which promote existing vacancies in industrial parks.

(G) Assists existing commercial and retail developers, center owners and operators in establishing programs to retain existing businesses, attract new businesses, and rehabilitate properties as needed. Develops working relationships with development professionals to enhance business development opportunities.

(H) Formulates and implements short and long range community and economic development goals for the city. Coordinates activities with other Departments and agencies as needed. Provides recommendations regarding business attraction and business retention activity.

(I) Prepares and administers plans and/or zoning codes within the policies of the Planning Commission and the City Council and proposes new policies and/or operating guidelines for adoption. Oversees the development and/or revision of the city's comprehensive zoning plan.

(J) Facilitates community development meetings, assists business owners in the identification of community-wide problems and assists in recommending resolutions to said problems. Lead facilitator in developing and maintaining lines of communication between the city and community business in order to create a public/private partnership environment.

(K) Develops and maintains a comprehensive inventory of available buildings and sites, in and adjacent to the community for economic development purposes. Maintains contact with landowners, brokers, developers, local banking institutions, Chambers of Commerce, etc., regarding available properties suitable for business development.

(L) Conducts proactive marketing of the community to businesses, brokers, site selectors and other economic development professionals. Attends trade events and other outside functions for purposes of marketing the city, which may lead to business development within the community. Responsible for web site development and enhancement as well as managing the city's social media accounts.

(M) Responsible for administration of all zoning and economic development within the city including assigning staff to the development of major planning projects within the city.

(N) Conducts research of incentive alternatives in surrounding communities. Evaluates incentive opportunities and performs research and sensitivity analyses concerning potential incentive scenarios.

(O) Prepares reports for the Mayor, City Council and City Administrator as requested and works with the City Council Economic Development Committee.

(P) Performs other duties as assigned by the City Administrator.  
(Ord. 1811, passed 6-3-19)

## **CHAPTER 2.96: EQUAL EMPLOYMENT POLICY**

### Section

2.96.010 Adoption of policy

### **§ 2.96.010 ADOPTION OF POLICY.**

The City of Crest Hill hereby adopts an Equal Employment Opportunity Policy, attached as Exhibit A to Ordinance 1615 and incorporated by reference herein.  
(Ord. 1615, passed 1-7-13)



