



Legislation Text

File #: 2023-1010, **Version:** 2

Title

AN ORDINANCE AMENDING TITLE 2 (BOARDS AND COMMISSIONS), CHAPTER 4 (BOARD OF FIRE AND POLICE COMMISSIONERS), AND TITLE 8 (POLICE), CHAPTER 1 (POLICE DEPARTMENT) OF THE ORLAND PARK VILLAGE CODE REGARDING THE LATERAL APPOINTMENT OF POLICE OFFICERS IN THE POLICE DEPARTMENT OF THE VILLAGE OF ORLAND PARK

Body

WHEREAS, the Village of Orland Park, (hereafter the "Village") is a home rule municipality and pursuant to the Illinois Constitution, Article VII, Section 6, has certain powers which it is exercising; and

WHEREAS, the Village has an important interest in ensuring that the personnel it employs in supervisory roles in its Police Department are of the highest qualifications, morals, leadership abilities and experience; and

WHEREAS, the President and Board of Trustees firmly believe that in order to continue to build a secure, safe and healthy community, the Village must be allowed to select from the best possible candidates when determining who will serve in supervisory roles in the Police Department; and

WHEREAS, the President and Board of Trustees of the Village hereby find and determine that it is in the best interests of the Village of Orland Park, and its residents and businesses, and the Police Department, to strengthen the Village's law enforcement recruitment by expanding the pool from which candidates for the positions of lieutenant and commander in the Village's Police Department are selected so as to make said positions available to the largest number of qualified applicants and deepen the expert law enforcement workforce; and

WHEREAS, in exercise of its home-rule authority, the Village, through its President and Board of Trustees, hereby finds and determines that it is in the best interest of the Village and its residents and businesses that persons appointed to the special assignments of lieutenant, commander, or deputy chief in the Village’s Police Department should be appointed by the Village Manager and not have to be existing police officers of the Village appointed by the Board of Fire and Police Commissioners;

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, ACTING PURSUANT TO AND IN THE EXERCISE OF THEIR HOME RULE POWERS AS FOLLOWS:

SECTION 1

That the findings contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as substantive provisions of this ordinance.

SECTION 2

That Subsection 1 of Section 2-4-4, of Chapter 4, “Board of Fire and Police Commissioners, of Title 2, “Boards and Commissions” of the Orland Park Municipal Code is hereby revised to read as follows:

2-4-4-1: APPOINTMENTS:

The Board of Fire and Police Commissioners shall appoint all officers of the Police Department of the Village, except the Chief of Police, **lieutenants, commanders, and Deputy Chief** who shall be appointed by the Village Manager; ~~provided that all appointments to such department other than that of the lowest rank shall be from the rank next below that to which the appointment shall be made, except in the appointment of the Chief of Police who shall be appointed by the Village Manager.~~

SECTION 3

That a new Subsection 2 shall be added to Section 8-1-4, “Appointments and Removals,” of Chapter 1, “Police Department” of Title 8, “Police,” of the Orland Park Municipal Code, to read in its entirety as follows, with the two subsequent paragraphs being renumbered sequentially:

2. **Lieutenants, Commanders, and Deputy Chief - Appointment.** Lieutenants, Commanders, and Deputy Chief shall be appointed by the Village Manager.

SECTION 4

That Section 8-1-6-4 of the Orland Park Municipal Code is hereby revised as follows:

8-1-6-4: ADDITIONAL ASSIGNMENTS:

Assignments Created; Eligibility:

The following special assignments are hereby created: Deputy Chief of Police, Commander - Investigations, Commander - Patrol Division, Commander - Administration and Technical Services, Lieutenant (3 positions).

Police officers appointed by ~~the Board of Fire and Police Commissioners~~ and selected by ~~the Chief of Police~~ **the Village Manager** shall be eligible to serve in the special assignments listed above.

The Chief of Police, with the approval of the Village Manager, is hereby authorized and directed to establish the duties and responsibilities of the above special assignments.

The Chief of Police, with the approval of the Village Manager, is charged with the responsibility of establishing standards, methods, and procedures for determining the qualifications of the police personnel eligible for the above assignments.

The ~~Chief of Police, with the approval of the~~ Village Manager, is hereby authorized to assign police officers appointed by the Board of Fire and Police Commissioners to serve in said assignments at the discretion of the ~~Chief of Police~~ **Village Manager**.

Any police officer, so appointed by the Board of Fire and Police Commissioners and assigned by the Chief of Police **Village Manager**, shall be considered assigned to management and shall not be eligible for overtime pay, but shall receive a management stipend and receive other management benefits. Assignments made under this section shall have no effect upon the rank of any person so assigned. Such assignments shall in no event be construed as being a promotion, demotion, or creation of a new rank.

~~Nothing herein contained is intended to confer upon the Chief of Police, or to otherwise alter, the duty and authority of the Board of Fire and Police Commissioners, except as provided in Section [8-1-17](#) of this Chapter.~~

SECTION 5

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of their conflict herewith.

SECTION 6

This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner prescribed by law.

SECTION 7

The Village Clerk is hereby directed to publish this Ordinance in pamphlet form, said pamphlets to be deposited in the office of the Village Clerk for general distribution.