

**VILLAGE OF SHERRARD  
MERCER COUNTY, ILLINOIS**

**ORDINANCE NO. 15-03-01**

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**An Ordinance to Formally Establish Village Police Department  
and to Amend Ordinance 12-01-01 – An Ordinance  
Adopting Hiring Standards  
for Part-Time Police Officers in the  
Village of Sherrard, Mercer County, Illinois**

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Adopted by the  
Board of Trustees and President  
of the Village of Sherrard  
this \_\_\_\_ day of March, 2015.

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sherrard, Mercer County, Illinois  
this \_\_\_\_ day of March, 2015.

**ORDINANCE NO. 15-03-01**  
**An Ordinance to Formally Establish Village Police Department**  
**and to Amend Ordinance 12-01-01 – An Ordinance**  
**Adopting Hiring Standards**  
**for Part-Time Police Officers in the**  
**Village of Sherrard, Mercer County, Illinois**

**BE IT ORDAINED** by the President and Village Board of Trustees of the Village of Sherrard, Mercer County, Illinois, as follows:

**WHEREAS**, the Village of Sherrard has not formally established its Village Police Department in writing and now wishes to so do.

**WHEREAS**, the State of Illinois has enacted a revision to the Illinois Municipal Code requiring that municipalities employing part-time police officers shall, by ordinance, establish hiring standards for part-time police officers and shall submit those standards to the Illinois Law Enforcement Training Standards Board; and

**WHEREAS**, the Village, pursuant to Illinois Compiled Statutes Chapter 65, Section 5/3.1-30-21 ordains to adopt hiring standards for part-time police officers.

**WHEREAS**, the Village adopted Ordinance No. 12-01-01 *An Ordinance Adopting Hiring Standards for Part-Time Officer in the Village of Sherrard, Mercer County, Illinois*, on January 3, 2012.

**WHEREAS**, the Village has been notified by the Illinois Law Enforcement Training and Standards Board that Ordinance No. 12-01-01 failed to address:

- a. A description of the qualifications one must possess to become a part-time officer.; *and*
- b. A statement that the number of hours a part-time officer may work within a calendar year are restricted.

**WHEREAS**, the Village Board of Trustees of the Village of Sherrard, Mercer County, Illinois, wish to maintain compliance with the Illinois statutory mandate as aforesaid;

**Therefore, BE IT ORDAINED by the President and Board of Trustees of the Village of Sherrard, Mercer County, Illinois, that:**

Pursuant to Illinois Compiled Statutes, the revised Code of Ordinances of the Village of Sherrard, Illinois, dated June, 2006, Title 10, Chapter 7, is hereby added to read as follows:

**Section 1. CREATION** - A Police Department is created as an executive department of the Village of Sherrard. The Police Department shall consist of the Chief of Police and other members, as may be provided from time to time by the Board of Trustees.

**Section 2. DUTIES** – Each member of the Police Department shall possess the authority of a Peace Officer in the State of Illinois. It shall be the duty of the members of the Police Department to see to the enforcement of all ordinances of the Village of Sherrard, all statutes of the State of Illinois, and the laws of the United States government, that are effective in the Village, and to which the powers of enforcement are granted to the member by law; and to preserve order, to keep the peace, and to prevent infractions of the law; and to arrest offenders and to cooperate in the prosecution of the offense. Every member of the Police Department is declared to be a conservator of the peace.

- Section 3. OFFICE OF THE CHIEF OF POLICE CREATED** – The Chief of Police shall be appointed by the Village President with the advice and consent of the Board of Trustees.
- Section 4. DUTIES OF THE POLICE CHIEF** – The Chief shall direct all activities of the Police Department and shall be responsible for the performance of the Police Department and of all its functions. All members of the department shall serve to the orders of the Chief of Police and comply with all lawful directives.
- Section 5. STOLEN PROPERTY-CUSTODY OF** – The Chief of Police shall be and act as the custodian of all property claimed to be stolen property which comes into the Chief's possession in the course of his duties as Chief of Police. The Chief of Police shall control and keep stolen property subject to all judicial orders pertaining to same by way of release or otherwise. The Chief of Police shall have the authority to release stolen property to the proper owner as he shall determine, upon taking receipt from the owner, if no judicial order issues in respect to the stolen property. The Chief of Police shall have the authority to dispose of stolen property after a reasonable period of time elapses, wherein no claim is made with respect to the property by any person, as provided by law.
- Section 6. SERVING PROCESS** – The Chief of Police shall be authorized to serve writs, summons, and other processes; but no patrolmen shall serve any such process except on the order of the Chief of Police or Village President.
- Section 7. CONDUCT OF MEMBERS** – It shall be the duty of every member of the Police Department to conduct himself or herself in a proper and law abiding manner, and to avoid the use of any unnecessary force.
- Section 8. WITNESS, FEES** – Every member of the Police Department shall appear as a witness whenever summoned or noticed by the court where it is necessary in a prosecution for a violation of a Village ordinance or of any State or Federal law. But no such member shall receive any witness fees for services in any action or suit in which the Village is a party; all fees due for such services shall, if paid, be turned over to the Village Treasurer.
- Section 9. RULES AND REGULATIONS** – The Village may prescribe rules, regulations and policies, in the form of a personnel policy manual, and other directives, for the guidance of the members of the departments, as well as all Village employees, as deemed fitting and proper, and such rules and regulations and policies are binding on the members of the Police Department following their approval by the President and Board of Trustees. The Chief of Police has the authority, and may issue, as necessary, directives, memoranda and general orders, consistent with State Statute, Village Ordinance, and the policies of the Village of Sherrard, in order to direct the day-to-day functions and activities of the Police Department. The Chief of Police and members of the Police Department shall conduct themselves, at all times in a manner consistent with the Village of Sherrard Personnel Policy Manual as now written, or as revised from time to time, provided the Village of Sherrard Personnel Policy Manual is not contrary to the express terms of the labor agreement.
- Section 10. PART TIME POLICE** – Whenever duties require it, The Village of Sherrard may employ part-time police officers from time to time as they deem necessary.
- A. **Duties** – A part-time police officer shall have all the responsibilities of a full-time police officer and such specific duties as delineated in the General Orders of the Sherrard

Police Department, but the number of hours a part-time officer may work within a calendar year is restricted to no more than 1,560 hours. Part-time police officers shall not be assigned to supervise or direct full-time police officers. Part-time police officers shall be trained in accordance with the Illinois Police Training Act (50 ILCS 705/1 et.seq.) and the rules and requirements of the ILETSB.

**B. Hiring Standards** – Any person employed as a Part-Time police officer must meet the following standards:

1. Be of good moral character, of temperate habits, of sound health, and physically and mentally able to perform assigned duties.
2. Be at least twenty-one (21) years of age.
3. Pass a medical examination
4. Be certified by the Illinois Training and Standards Board to the minimum standards for part-time officers **OR** possess sufficient experience to qualify for a waiver of training.
5. Possess a high school diploma or GED certificate.
6. Possess a valid driver's license from their resident State.
7. Possess no prior felony convictions.
8. Any individual who has served in the U.S. Military must have been honorably discharged.

**C. Discipline** – Part-time officers shall be under the disciplinary jurisdictions of the Chief of Police. Part-time police officers serve at the discretion of the Village authorities, shall not have any property rights in said employment, and may be removed by the Village authorities at any time. Part-time officers shall comply with all applicable rules and General Orders issued by the Police Department.

**Section 11. POLICE OFFICER STANDARDS**

**A.** All police officers, including those officers who shall be employed on a part-time basis, shall be qualified to enter and successfully complete any training mandated by the Illinois Law Enforcement Training Standards Board, and

**B.** The aforesaid hiring standard shall be submitted to the Illinois Law Enforcement Training Standards Board as required by statute (65 ILCS 5/3.1-30-21).

**C.** Police officers shall maintain yearly certification in hazardous materials awareness and firearms proficiency per Illinois statute.

**D.** The Chief of Police may set and/or adopt reasonable performance standards that are binding on the members of the police department.

**Section 12. DISCIPLINARY ACTION** – the Chief of Police has the authority to impose discipline on the members of the Police Department, up to and including dismissal from service, consistent with Village of Sherrard labor agreement, policies and ordinances of the Village, and consistent with State Statute. The Uniform Police Officer Disciplinary Act will be followed as it pertains to all disciplinary matters within the Police Department. During the first full year of full-time employment, a member of the police department shall be considered to be on probationary status and as such his employment is subject to termination at the discretion of the Chief of Police and the Village President and Board of Trustees.

**Section 13. GENERAL PROVISIONS**

**A. Repealer** - All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

**B. Severability** - Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

**C. Effective Date** - This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sherrard, Mercer County, Illinois this \_\_\_\_ day of March, 2015.

<u>Trustee</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Trustee Dean _____				
Trustee Dryoel _____				
Trustee Hoexter _____				
Trustee Iverson _____				
Trustee Rath _____				
Trustee Wyant _____				

\_\_\_\_\_  
Delbert D. Henry  
Village President

(SEAL)

ATTEST: \_\_\_\_\_  
Theresa A. Johnson  
Village Clerk

STATE OF ILLINOIS            )  
VILLAGE OF SHERRARD    ) ss.  
COUNTY OF MERCER        )

I, THERESA A. JOHNSON, Village Clerk within and for the Village of Sherrard, in the State and County aforesaid, do hereby certify that:

1.     the foregoing constitutes a full, true and correct copy of Ordinance No. 15-03-01 of said Village as:
  - (a)    introduced before the Board of Trustees on the 9<sup>th</sup> day of March, 2015; and
  - (b)    passed by the Board of Trustees and approved by the President on the \_\_\_\_ day of March, 2015, as fully as the same appears of record in my office;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Sherrard, Illinois, at my office in said Village this \_\_\_\_ day of March, 2015.

[SEAL]

\_\_\_\_\_  
Village Clerk