

## CHAPTER 4

### BOARD OF FIRE AND POLICE COMMISSIONERS

#### SECTION:

- 2-4-1: Membership; Appointment, Removal
- 2-4-2: Officers
- 2-4-3: Compensation
- 2-4-4: Duties
- 2-4-5: Rules
- 2-4-6: Legal Counsel for

#### 2-4-1: **MEMBERSHIP; APPOINTMENT, REMOVAL:**

- A. Members, Term: There shall be a Board of Fire and Police Commissioners as provided by law, (65 ILCS 5/10-2.1-1 et seq.) which shall consist of three (3) members whose terms shall be for three (3) years. The Terms shall be staggered. Such members shall be appointed by the City Council.
- B. Removal of Members: Members of the Board of Fire and Police Commissioners shall be removed in the manner prescribed by State Law. (65 ILCS 5/10-2.1-3.)

#### 2-4-2: **OFFICERS OF:**

- A. Chairman: The Board of Fire and Police Commissioners shall elect a chairman to serve during the City's fiscal year.
- B. Secretary: The Board of Fire and Police Commissioners may appoint a secretary who need not be a member of the Board, subject to approval of the Council. The compensation of said secretary shall be fixed by the Council.

2-4-3: **COMPENSATION:** Members of the Board of Fire and Police Commissioners shall be paid such sum as is determined by the City Council.

2-4-4: **DUTIES:** The Board of Fire and Police Commissioners shall have charge of all appointments to the Fire and Police Departments and shall conduct and hold all entrance and promotional examinations in the manner required by law.

2-4-5: **RULES:** The Board of Fire and Police Commissioners shall have the power to make all rules concerning the personnel of the Fire and Police Departments as are authorized by State Law.

2-4-6: **LEGAL COUNSEL FOR:**

A. In all matters concerning its activities and procedures, the Board of Fire and Police Commissioners shall be represented by legal counsel of their own choosing. Said legal counsel shall not be the Corporation Counsel of the City nor any member of his staff.

B. The duties of the counsel for the Board of Fire and Police Commissioners shall be to advise the Board on all legal matters concerning its activities, to represent the Board in any legal actions brought directly by or against the Board, to represent the Board on all administrative review proceedings arising out of its activities, to sit as hearing officer in disciplinary and other proceedings before the Board and to advise and represent the Board on such other legal matters as may, from time to time, come before the Board. As hearing officer, said counsel shall convene and conduct such hearings, rule on any and all motions presented to the Board, rule on matters of evidence and procedure, prepare all written orders of the Board and shall perform such other functions as are necessary to the orderly hearing of disciplinary and other proceedings.

C. The Board of Fire and Police Commissioners may appoint special legal counsel for the investigation and presentation of disciplinary and other charges before the Board. Said counsel shall not be the Corporation Counsel of the City nor any member of his staff. On all disciplinary matters resulting in a hearing before the Board, such special counsel shall be so appointed to investigate and present charges before the Board.

D. This Section is enacted pursuant to the provisions of division 2.1 of section 10 of the Illinois Municipal Code (65 ILCS 5/10-2.1-1 through 10-2.1-3.) and section 6 of article VII of the Constitution of the State of Illinois, and this Section shall prevail in any conflict between this Section and division 2.1 of section 10 of the Illinois Municipal Code, pursuant to the provisions of section 6 of article VII of the Constitution the State of Illinois.