

ORDINANCE NO. F-0696**AN ORDINANCE AMENDING CHAPTER 38, "LAW ENFORCEMENT,"
OF THE WHEATON CITY CODE -
SEC. 38-35. "DEPUTY CHIEF OF POLICE;
APPOINTMENT AND RESPONSIBILITIES."**

WHEREAS, the Wheaton Board of Fire and Police Commissioners have Rules & Regulations, dated March 19, 2001, adopted by the Mayor and City Council; and

WHEREAS, said Rules & Regulations were amended removing the Deputy Chief of Police position from the authority of the Board of Fire and Police Commissioners; and

WHEREAS, the Wheaton City Code is in conflict with said Rules & Regulations and refers to the authority of the Board of Fire and Police Commissioners over the Deputy Chief of Police position; and

WHEREAS, it is necessary to amend the Wheaton City Code to reflect said Rules & Regulations in regard to the Deputy Chief of Police position.

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton City Code is amended by deleting Section 38-35 "Deputy Chief of Police; appointment and responsibilities" of Chapter 38, Law Enforcement, in its entirety and substituting the following section in lieu thereof:

"Sec. 38-35. Deputy chief of police; appointment and responsibilities.

(a) The city manager is authorized to create the position of deputy chief, superior in rank to that of commander, in the police department.

(b) The deputy chief of police shall be responsible for the direct supervision of the patrol division commander and the investigative commander and, during the absence of the chief of police, shall be responsible for the overall operation of the police department and any other duties and responsibilities thereto assigned to the chief of police.

(c) The chief of police, with the approval of the city manager, shall appoint a candidate to fill the position of deputy chief; such person may remain in such position until such time as the chief of police, with the approval of the city manager, deems otherwise.

If such qualified and competent candidate is a sworn officer of the police department, and after having been temporarily appointed to such position of deputy chief a determination is made that it is necessary and desirable to appoint another person, either sworn or civilian, to the position of deputy chief, then the previous temporarily appointed sworn officer shall automatically revert to their permanent rank together with all authority, responsibility and compensation commensurate with such rank.”

Section 2: In all other respects, the terms and provisions of the Wheaton City Code, as amended, are ratified and remain in full force and effect.

Section 3: All ordinance or parts of ordinances in conflict with these provisions are repealed.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Ayes:

Roll Call Vote:

Councilman Mouhelis
Councilman Gresk
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

Councilman Eckhoff

Motion Carried Unanimously

Passed: April 15, 2002
Published: April 16, 2002