

CHAPTER 30

PUBLIC SAFETY

ARTICLE I - CIVIL EMERGENCY

30-1-1 **DEFINITIONS.**

"CIVIL EMERGENCY" is hereby defined to be:

(A) A "riot or unlawful assembly" characterized by the use of actual force or violence or any power to execute by **three (3)** or more persons acting together without authority of law; or

(B) Any "natural disaster" or "man-made calamity", including flood, conflagration, cyclone, tornado, earthquake, or explosion within the corporate limits of the Village resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

"CURFEW" is hereby defined as a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village excepting officials of any governmental unit and persons officially designated to duty with reference to the civil emergency.

30-1-2 **DECLARATION OF EMERGENCY.** Whenever an emergency as defined in **Section 30-1-1** exists, the Mayor shall declare the existence by means of a written declaration, setting forth the facts which constitute the emergency.

30-1-3 **CURFEW.** After proclamation of a civil emergency by the Mayor, he may order a general curfew applicable to such geographical areas of the Village or to the Village as a whole as he deems advisable and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

30-1-4 **AUTHORITY OF MAYOR TO ISSUE ORDERS.** After the proclamation of a civil emergency, the Mayor may also, in the interest of public safety and welfare, make any or all of the following orders.

(A) Order the closing of all retail liquor stores including taverns and private clubs or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.

(B) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.

(C) Order the discontinuance of selling, distributing or giving away of gasoline or other flammable liquid or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.

(D) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.

(E) Issue such other orders as are imminently necessary for the protection of life and property.

30-1-5 **EFFECTIVENESS.** The proclamation herein authorized shall be effective for a period of **forty-eight (48) hours** unless sooner terminated by a proclamation of the Mayor indicating that the civil emergency no longer exists. The Mayor shall have the power to reclaim the existence of a civil emergency at the end of each **forty-eight (48) hour** period during the time the civil emergency exists.

30-1-6 **NOTIFICATION.** Upon issuing the proclamation herein authorized, the Mayor shall notify the news media situated within the Village and shall cause **three (3) copies** of the proclamation declaring the existence of the emergency to be posted at the following places within the Village:

- (A) The Village Hall.
- (B) The Post Office.
- (C) The Public Safety Building.

(See 65 ILCS Sec. 5/11-1-6)

ARTICLE II - POLICE DEPARTMENT

DIVISION I - DEPARTMENT ESTABLISHED

30-2-1 **DEPARTMENT ESTABLISHED.** There is hereby established a department of the municipal government of the Village which shall be known as the Police Department. It shall embrace the Village Board standing committee on Police, **one (1)** Chief of Police and such other regular patrolmen as the Village Board may hereafter, from time to time, provide for and also such special policemen as the Mayor, in accordance with the provisions of this Chapter, may appoint and commission.

30-2-2 **APPOINTMENT.** The Chief of Police shall be appointed by the Mayor, by and with the advice and consent of the Village Board and he shall serve until his successor is appointed and qualified. He does not have to be a Village resident, but shall move into the Village within **six (6) months** of his appointment. **(See 65 ILCS Sec. 5/3-14-1)**

30-2-3 **HEAD OF DEPARTMENT.** The Chief of Police of the Village shall be the head of the Police Department, subject to the orders of the Mayor and Village Board.

30-2-4 **SALARY.** He shall receive such compensation as may be provided by the annual appropriation ordinance of the Village.

30-2-5 **DUTIES.**
(A) He shall attend, either in person or by deputy, all meetings of the Village Board, execute all its orders and close the Board Chamber upon the adjournment of that body. He shall also execute all warrants or other legal process required to be executed by him under any ordinance of the Village.
(B) The Chief of Police is hereby appointed ex-officio Building and Zoning Commissioner and is authorized to enforce the Zoning Code of the Village. **(#80-0-5)**

30-2-6 **APPOINTMENT OF PATROLMEN.** A sufficient number of patrolmen shall be appointed by the Mayor, by and with the advice and consent of the Village Board to serve for **one (1) year** or until his successor is appointed and qualified. A police officer may be appointed to office by the Mayor and Village Board if he meets the necessary qualifications notwithstanding the fact that the policeman is not a resident of the Village when appointed or when he is to serve as such an official.

30-2-7 **MUTUAL AID CONTRACT.** The Police Department, with the approval of the Village Board, may enter into an agreement to provide police protection to neighboring municipalities.

30-2-8 **SPECIAL POLICEMEN.** The Mayor may, on special occasions when, in his judgment for public peace and order of the Village shall require, appoint and commission any number of special policemen as may be necessary and shall fix in order of their appointment, the time during which each shall serve all such special policemen, during such time, shall possess the powers and exercise the duties of regular police patrolmen; provided that their appointment, if for more than **ten (10) days** shall be subject to the consent of the Village Board in the manner that other appointments to office by the Mayor are subject. Auxiliary policemen shall not carry firearms, except with the permission of the Chief of Police and then only when in uniform and in the performance of their duties.

30-2-9 **LEGAL PROCESSES.** All police shall have the power and authority to execute Village warrants or other similar legal processes outside the corporate limits of the Village and within such distance therefrom as authorized by law in all cases when any ordinance of the Village Board made pursuant to law shall prescribe a penalty for the violation of any of its provisions by persons residing, acting or doing any business within the limits of the Village.

30-2-10 **ASSISTING POLICE OFFICER.** Every police officer of the Village may, at any time, call upon any able-bodied person(s) above the age of **eighteen (18) years** to aid him in the arresting, retaking or holding in custody of any person guilty of having committed any unlawful act or charged therewith, or to aid such officer in preventing the commission of any unlawful act.

30-2-11 **AIDING FIRE DEPARTMENT.** Every police officer shall aid the fire department by giving the alarm in case of fire and in clearing the streets or grounds in the immediate vicinity of any fire so that the firemen shall not be hindered or obstructed in the performance of their duties.

30-2-12 **FAILURE TO PERFORM.** Any member of the Police Department who shall neglect or refuse to perform any duty required of him by this Code or the rules and regulations of the Department, or who shall be, in the discharge of his official duties, guilty of any fraud, favoritism, extortion, oppressions or willful wrong or injustice, shall be subject to removal from office.

30-2-13 AIDING IN ESCAPE. It shall be unlawful for any person in this Village to resist or obstruct any member of the Police Force in the discharge of his duty or to endeavor to do so, in any manner, assist any person in the custody of any member of the Police Department to escape or to attempt to escape from such custody or to attempt to rescue any such person in custody.

30-2-14 USE OF INTOXICATING LIQUOR. No member on an active tour of duty or while wearing the official policeman's badge of the Village shall indulge in the use of intoxicating liquor of any kind and intoxication at any time shall be sufficient cause for removal.

30-2-15 SUSPENSION BY CHIEF. The Chief of Police may suspend any police officer without pay for a period of **five (5) working days** on his own authority. With the approval of the standing committee and the Mayor, he may suspend such police officer(s) for a period not exceeding **thirty (30) days**. All other actions shall require the approval of the corporate authorities.

30-2-16 EMERGENCY EXPENDITURES. The Chief of Police shall have the authority to purchase and/or make necessary expenditures not exceeding **Two Hundred Fifty Dollars (\$250.00)** in any **one (1) month** for equipment and service required for the operation of the Police Department. A record of all expenditures shall be maintained and reported to the proper Village Board Committee as required. All records shall be open for inspection at reasonable times.

30-2-17 WITNESS FEES. Any member of the Police Department shall appear as witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law. No such member shall retain any witness fee for service as witness in any action or suit to which the Village is a party; and fees paid for such services shall be turned over to the Chief of Police who shall deposit the same with the Village Treasurer.

30-2-18 RULES AND REGULATIONS. The Chief of Police may make or prescribe such rules and regulations for the conduct and guidance of the members of the Police Department as he shall deem advisable and such rules, when approved by the Mayor, shall be binding on such members.

30-2-19 TRAINING. All police officers, prior to entering upon any of their duties, shall receive a course of training in the use of weapons by the proper authorities as established by the State of Illinois. All full-time and part-time police officers shall

complete a course on police procedures by the proper authorities as established by the State of Illinois Law Enforcement Training and Standards Board within the prescribed time period as established by such board. Upon completion of the course of training, the officer shall file with the Mayor a certificate attesting to the completion of the course.

30-2-20 **STOLEN PROPERTY.** The Chief of Police shall be the custodian of all lost and abandoned or stolen property in the Village.

30-2-21 **PART-TIME POLICE.**

(A) **Employment.** The Village may employ part-time police officers from time to time as they deem necessary.

(B) **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 Police Department, but the number of hours a part-time officer may work within a calendar year is restricted. Part-time police officers shall not be assigned to supervise or direct full-time police officers.

(C) **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) Possess a high school diploma or GED certificate.
- (5) Possess a valid State of Illinois driver's license.
- (6) Possess no prior felony convictions.
- (7) Any individual who has served in the U.S. military must have been honorably discharged.
- (8) 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.

(D) **Discipline.** Part-time officers shall be under the disciplinary jurisdiction of the officer in charge. 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 as they are at will employees. Part-time police officers shall comply with all applicable rules and General Orders issued by the Police Department.

(Ord. No. 12-244; 03-06-12)

30-2-22 - 30-2-24 **RESERVED.**

(65 ILCS 5/11-1-2)

DIVISION II – POLICE CODE

30-2-25 CHIEF OF POLICE.

(A) **Authority.** The Chief of Police is the Chief Executive Officer of the Department and the final departmental authority in all matters of policy, operations and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the department.

(B) **Responsibilities.** Through the Chief of Police the Department is responsible for the enforcement of all laws and ordinances coming within its legal jurisdiction. He is responsible for planning, directing, coordinating, controlling and staffing all activities of the Department, for its continued and efficient operation, for the enforcement of rules and regulations within the Department for the completion and forwarding of such reports as may be required by competent authority, and for the Department's relations with the citizens of the Village, the Village government and other agencies.

(C) **Duty Hours.** The Chief of Police shall be on duty from **8:00 A.M. to 4:00 P.M. Monday through Friday** and shall be available for duty in case of emergency at all other times.

30-2-26 RULES AND REGULATIONS FOR ALL MEMBERS AND EMPLOYEES.

(A) **Code of Ethics.** Law enforcement is an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status and devotion to service above self are the motives which impel a police officer to discharge his responsibilities in full measure.

A police officer's life is one of self-sacrificing service to a high ideal, based upon his recognition of the responsibilities entrusted to him and the belief that law enforcement is an honorable vocation. He fully accepts his responsibilities to defend the right to protect the weak, to aid the distressed and to uphold the law in public and private living. He accepts the obligation to report facts and to testify without bias or display of emotion, and to consider all information coming to his knowledge by virtue of his position as a sacred trust, to be used for official purposes only. He gives his loyal and faithful attention to the identification and apprehension of criminals, being equally alert to protect the innocent and prosecute the guilty. He performs the functions of his office without fear, favor, or prejudice and does not engage in unlawful or improper practices.

He does not disclose to unauthorized persons any information concerning pending matters which might be prejudicial to the interest of the State, Village or the Department. He does not seek to benefit personally by any confidential information which has come to him by virtue of his assignment. He is faithful and loyal to his organization, constantly striving to cooperate with and to promote better relations with all regularly constituted law enforcement agencies and their representatives in matters of mutual interest and obligation.

Rigid adherence to the principles set out above is mandatory for anyone accepting a position in the Police Department. Acceptance of these principles should not be perfunctory; it should be weighed carefully. Citizens are quick to criticize any misconduct of the members of the Department; the community places a trust in police officers and expects them to so conduct themselves as to merit this trust. Members should be proud to hold a position that demands so much.

There must be a moral philosophy and strong appreciation of the need for service in any profession. Unwavering adherence to such a moral philosophy will earn for police officers the respect and support of the public.

Each member of the Police Department will be required to conform to the **Law Enforcement Code of Ethics**.

(B) **Oath of Office.** New members shall take the following oath of office:

"I, _____ do solemnly swear that I will support and comply with the Constitution of the United States of America; the Constitution and the laws of the State of Illinois; the charter, laws and ordinances of the Village of Hartford, Illinois; the rules and regulations of the Village of Hartford Police Department; and the Law Enforcement Code of Ethics, and that I will faithfully discharge the duties of my office as _____ to the best of my ability."

30-2-27 PROFESSIONAL CONDUCT AND RESPONSIBILITIES.

(A) **Standard of Conduct.** Members and employees shall conduct their private and professional lives in such a manner as to avoid bringing the Department into disrepute.

(B) **Loyalty.** Loyalty to the Department and to associates is an important factor in departmental morale and efficiency. Members and employees shall maintain a loyalty to the Department and their associates as is consistent with the law and personal ethics.

(C) **Cooperation.** Cooperation between the ranks and units of the Department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.

(D) **Assistance.** All members are required to take appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be pending.

(E) **General Responsibilities.** Within the Village, members shall, at all times, take appropriate action to:

- (1) Protect life and property.
- (2) Preserve the peace.
- (3) Prevent crime.
- (4) Detect and arrest violators of the law.

(5) Enforce all federal, state and local laws and ordinances coming within departmental jurisdiction.

(F) **Duty Responsibilities.** Members of the Department are always subject to duty although periodically relieved of its routine performance. They shall, at all times, respond to the lawful orders of superior officers and other proper authorities as well as calls for police assistance from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve members of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Members assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

(G) **Insubordination.** Failure or deliberate refusal of any member or employee to obey a lawful order given by a superior officer shall be insubordination. Ridiculing a superior officer or his orders, whether in or out of his presence, is also insubordination.

(H) **Questions Regarding Assignment.** Members and employees in doubt as to the nature or detail of their assignment shall seek such information from the Chief or Senior Officer in charge.

(I) **Knowledge of Laws and Regulations.** Every member is required to establish and maintain a working knowledge of all laws and ordinances in force in the Village, the rules and policies of the Department and the orders of the Department and divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule and policy in question.

(J) **Performance of Duty.** All members and employees shall perform their duties as required or directed by law, departmental rule, policy or order, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed notwithstanding the general assignment of duties and responsibilities.

(K) **Obedience to Laws and Regulations.** Members and employees shall observe and obey all laws and ordinances, all rules and regulations of the Department and all general or special orders of the Department.

(L) **Establishing Elements of Violation.** Existence of facts establishing a violation of a law, ordinance or rule is all that is necessary to support any allegation of such as a basis for a charge under this Section. It is not necessary that a formal complaint be filed or sustained.

Nothing in this Manual of Rules prohibits disciplining or charging members or employees merely because the alleged act or omission does not appear herein, in departmental orders, or in laws and ordinances within the cognizance of the Department.

(M) **Reporting Violations of Laws, Ordinances, Rules or Orders.** Members and employees knowing of other members or employees violating laws, ordinances or rules of the Department or disobeying orders, shall report the same in writing to the Chief of Police.

(N) **Conduct Toward Superior and Subordinate Officers and Associates.** Members and employees shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another.

(O) **Criticism of Orders.** Members and employees shall not publicly criticize instruction or orders they have received.

(P) **Manner of Issuing Orders.** Orders from superior to subordinate shall be in clear, understandable language, civil in tone and issued in pursuit of departmental business.

(Q) **Unlawful Orders.** No command of supervisory officer shall knowingly issue any order which is in violation of any law or ordinance or departmental rule.

(R) **Obedience to Unlawful Orders.** Obedience to an unlawful order is never a defense for an unlawful action. Therefore, no member or employee is required to obey any order which is contrary to federal or state law or local ordinance. Responsibility for refusal to obey rests with the member. He shall be strictly required to justify his action.

(S) **Obedience to Unjust or Improper Orders.** Members or employees who are given orders which they feel to be unjust or contrary to rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided below.

(T) **Conflicting Orders.** Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order.

If so directed, the latter command shall be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the Department.

(U) **Reports and Appeals – Unlawful, Unjust, Improper Orders.** A member or employee receiving an unlawful, unjust, or improper order shall, at first opportunity, report in writing to the Chief of Police through official channels. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Extra-departmental action regarding such an appeal shall be conducted through the office of the Chief of Police.

(V) **Gifts, Gratuities, Fees, Rewards, Loans, Etc., Soliciting.** Members and employees shall not, under any circumstances, solicit any gift, gratuity, loan or fee where there is any direct or indirect connection between the solicitation and their departmental membership or employment.

(W) **Other Transactions.** Members and employees are prohibited from buying and selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any active case which has come to their attention or which arose out of their departmental employment, except as may be specifically authorized by the Chief of Police.

(X) **Rewards.** Members and employees shall not accept any gift, gratuity or reward in money or other consideration for services rendered in the line of

duty to the community or to any person, business or agency, except lawful salary and that which may be authorized by law.

(Y) **Disposition of Unauthorized Gifts, Gratuities, Etc.** Any unauthorized gift, gratuity, loan, fee, reward or other thing falling into these categories coming into the possession of any member or employee shall be forwarded to the office of the Chief of Police together with a written report explaining the circumstances connected therewith.

(Z) **Free Admissions and Passes.** Members and employees shall not solicit or accept free admission to places of amusement for themselves or others, except in the line of duty.

(AA) **Debts.** Members of the Police Department shall pay when due all just bills and obligations owed by such member, and such member shall not incur or become liable for obligations which he, in the reasonable course of events, could not possibly meet at their maturity.

(BB) **Intercession by Another.** No member/employee of the Police Department shall solicit any person to intercede with the Chief of Police, Village President, Board of Trustees, Safety Committee, or any elected or appointed official in relation to promotions, departmental assignment, scheduling, disposition of pending charges or findings on a disciplinary proceeding. This Section shall not apply to licensed attorneys of the State of Illinois when representing an employee/member of the Police Department.

(CC) **Right to Appeal.** Any police officer who is the subject of a disciplinary action shall have the right to appeal the decision of the Safety Committee by filing a written request for an appeal hearing with the Chairman of the Safety Committee and with the President of the Board of Trustees within **forty-eight (48) hours** of the Safety Committee's decision. A request for an appeal hearing under this Section shall stay the enforcement of any decision until the Board of Trustees has rules on the decision of the Safety Committee. After the filing of a request for appeal, the appeal hearing must be held at the next regular or special meeting of the Village Board of Trustees.

(DD) **Disclosure of Departmental Business.** Discussion of the operations and official business of the Department without the permission of the Chief of Police is not permitted. (For purposes of this Section, all Department documents and orders, written or oral, are to be considered confidential unless otherwise directed by the Chief of Police.) This Section does not apply to orders that are of such nature that they must be communicated to others within the Police Department.

30-2-28 RESIGNATIONS. An officer who desires to resign from the Police Department must give at least **ten (10) days** notice of such intention. His resignation must be in writing and addressed to the Chief of Police.

30-2-29 GENERAL CONDUCT ON DUTY.

(A) **Prohibited Activity on Duty.** Members and employees are prohibited from engaging in the following activities while on duty with the exceptions as noted:

- (1) Sleeping, loafing, idling.
- (2) Recreational reading (except at meals).
- (3) Conducting private business.
- (4) Carrying newspapers or other articles (except in the performance of police duty).
- (5) Drinking intoxicating beverages (except in performance of a police duty, and then only with the specific consent of the Chief of Police and never in uniform).
- (6) **House of Ill Repute.** A member shall not enter any house of ill repute except in the performance of duty.
- (7) **Gambling.** Unless to further a police purpose, no games of chance for stakes or wagers shall be played in the station.

(B) **Loitering.** All members on duty or in uniform shall not enter taverns, theaters or other places, except to perform a police task.

(C) **National Colors and Anthem.** Uniformed members will render full military honors to the national colors and anthem at appropriate times. Members and employees in civilian dress shall render proper civilian honors to the national colors and anthems at appropriate times.

(D) **Relief.** All members and employees are to remain at their assignments and on duty until properly relieved by another member or employee or until dismissed by competent authority.

(E) **Meals.** Meals and breaks shall be of a reasonable amount of time.

(F) **Reporting.** Members and employees shall promptly submit such reports as are required by the performance of their duties or by competent authority.

(G) **Absence from Duty.** Every member or employee who fails to appear for duty at the date, time and place specified for so doing without the consent of competent authority is "**absent without leave**". Such absences may result in disciplinary action.

(H) **Sickness Caused by Improper Conduct, Etc., Feigning Sickness.** The Village physician shall report in writing to the Chief of Police any member who shall evade duty on the pretense of sickness or whose sickness or disability is caused by improper conduct, intemperate, immoral or vicious habits or practices, or in which a member of the Department fraudulently or by misleading statements concerning his disability, endeavors to deceive the Village physician, or in which a member feigns sickness disability. The Chief of Police shall make a recommendation in such report whether or not such member shall be paid for the time he is absent from duty.

(I) **Notification of Command.** Whenever any member of the Department becomes sick or disabled, the Chief of Police or the person in charge shall be notified without delay. Members unable to report for duty owing to sickness or

disability shall notify the Chief of Police or person in charge not less than **one (1) hour**, if possible, prior to time of reporting for duty.

(J) **Training.** All members shall attend in-service training in the theory and practice of law enforcement at the direction of the Chief of Police. Such attendance is considered a duty assignment.

(K) **Physical Fitness for Duty.** All members of the Department shall maintain good physical condition so that they can handle the strenuous physical contacts often required of a law enforcement officer.

No member or employee of the Department shall become so physically obese as to hamper his or her ability to perform all aspects of the employment for which he or she was hired.

(L) **Consumption of Intoxicants.** Members and employees shall not consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that ability to perform duty is impaired.

(M) **Intoxication.** Members and employees shall not, at any time, be intoxicated while on duty. They shall not, at any time, on or off duty, be intoxicated in public view so as not to bring discredit to the Department.

(N) **Intoxicants on Departmental Premises.** Members and employees shall not bring into or keep any intoxicating liquor on departmental premises. Liquor brought in departmental premises in the furtherance of a police task shall be properly identified and stored according to current policy.

(O) **Smoking While on Duty.** Members and employees shall not smoke on duty while in direct contact with the public, nor when in uniform in public view, except that smoking is permitted in public view at meal times and while patrolling in police automobiles, at which times it shall be as inconspicuous as possible.

(P) **Address and Telephone Numbers.** All members of the Department shall reside in the Village limits, unless accepted by Board approval and immediately upon reporting for duty, members and employees shall record their correct residence address and telephone number with the Village Clerk and the Chief of Police. Members and employees are required to have telephones in the place where they reside. Changes in address or telephone numbers shall be reported to the Chief of Police within **twenty-four (24) hours** of change.

(Q) **Uniforms, Equipment and Appearance.** All members of the Department shall maintain in good order a regulation uniform. Members shall be neat appearing and well-groomed while in uniform.

(R) **Hair and Grooming.** Hair shall be neat and well-groomed.

(S) **Uniform Regulations.** All articles of uniform shall conform to the departmental uniform regulations. Civilian clothing will not be worn with any distinguishable part of the uniform, except for reasons of safety.

(T) **Wearing the Uniform.** Uniforms shall be kept neat, clean and well-pressed at all times. While wearing the uniform, members shall maintain a military bearing, avoiding mannerisms such as slouching, shuffling and keeping hands in pockets. The uniform hat shall be worn out-of-doors, unless otherwise directed by competent authority.

(U) **Manner of Dress on Duty.** Normally, members will wear the duty uniform on a tour of duty; however, Chief of Police may prescribe other clothing as required by the nature of the duty to which a particular member is assigned.

(V) **Equipment.** All equipment must be clean, in good working order and conform to Department specifications.

(W) **Off-Duty Equipment.** At all times, members may carry an authorized weapon and shall carry official identification when off duty and in public.

(X) **Registering Equipment With the Department.** Members are required to register with the Department the description and serial numbers of all personal police weapons they own or carry on duty.

(Y) **Firearms – Display, Discharge and Marksmanship.** Members shall never display firearms unnecessarily or draw them in any public place except for inspection or official use. Members are required to report any deliberate or accidental discharge of firearms (except routine target practice). This report is to be made to the Chief of Police as soon as possible, and without unnecessary delay. Members shall exhaust every other means of apprehension before resorting to the use of firearms.

(Z) **Marksmanship Proficiency.** All members of the Department shall be required to attain a marksmanship proficiency of **fifty percent (50%)** in order to qualify.

(AA) **Uniform and Equipment Damage Claim.** Any claims for damage to clothing, equipment, and eyeglasses caused by performance of duty shall be made in accordance with current departmental directives.

(BB) **Compensation for Other Damages Sustained On Duty.** Members and employees shall not seek in any way nor accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Chief of Police.

(CC) **Compensation for Damages Off Duty.** Members and employees who have received salary from the Village for injury sustained off duty or illness shall notify the Chief of Police in writing of any intent to seek, sue, solicit, or accept compensation as damages for such illness or injury. This notice shall be filed before any action is taken. It shall include the fact of the claim and the name of the respondent.

30-2-30 DEPARTMENT PROPERTY AND EQUIPMENT. Members and employees are responsible for the proper care of Department property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action.

30-2-31 DAMAGED/INOPERATIVE PROPERTY OR EQUIPMENT. Members and employees shall immediately report to their commanding officer on designated forms any loss of or damage to departmental property assigned to or used by them. The immediate superior will be notified of any defects or hazardous conditions existing in any Department equipment or property.

30-2-32 CARE OF DEPARTMENT BUILDINGS. Members and employees shall not mar, mark or deface any surface in the Department building. No material shall be affixed in any way to any wall in Department buildings without specific authorization from the Chief of Police or Mayor.

30-2-33 NOTICES. Members and employees shall not mark, or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of the Chief of Police. No notices of a derogatory nature will be posted at any time.

30-2-34 MAINTENANCE OF MANUALS. All members and employees who are issued manuals are responsible for their maintenance and will make appropriate changes or inserts as they arise.

30-2-35 SURRENDER OF DEPARTMENTAL PROPERTY. Members and employees are required to surrender all Department property in their possession upon separation from the service. Failure to return non-expendable items may cause the person to reimburse the Department for the fair market value of the article(s).

30-2-36 USE OF DEPARTMENTAL VEHICLES. Members shall not use any departmental vehicle without the permission of the Chief of Police. Mileage and maintenance logs shall be kept at all times on all vehicles.

30-2-37 VEHICLES – PERSONAL BUSINESS. Departmental vehicles may be used for personal business only within the Village limits.

30-2-38 TRANSPORTING CITIZENS. Citizens will be transported in departmental vehicles only when necessary to accomplish a police purpose. Such transportation will be done in conformance with departmental policy or at the direction of a command officer.

30-2-39 REPORTING ACCIDENTS. Accidents involving Village personnel, property and/or equipment must be reported in accordance with adopted procedures.

30-2-40 PRESUMPTION OF RESPONSIBILITY. In the event that Village property is found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible.

30-2-41 COMMUNICATIONS – CORRESPONDENCE.

(A) **Restrictions.** Members and employees shall not:

- (1) Use departmental letterheads for private correspondence.
- (2) Give out license number information to private citizens without permission of the officer in charge.
- (3) Send correspondence out of the Department over the signatures without the general permission of the Chief of Police.
- (4) Give out listed or unlisted phone numbers of police officers or other Department personnel.

(B) **Department Address (Private Use Of).** Members and employees shall not use the Department as a mailing address for private purposes. The Department address shall not be used on any motor vehicle registration or operator's or chauffeur's license.

(C) **Telephones.** Departmental telephone equipment may not be used for the transmission of private messages without prior approval of the Chief of Police.

(D) **Radio Discipline.** All members of the Department operating the police radio shall strictly observe regulations for such operations as set forth in departmental orders and by the Federal Communications Commission.

30-2-42 DEATH AND INJURY NOTIFICATIONS.

(A) **Death or Serious Injury.** When a member is killed or seriously injured on or off duty, immediate verbal notification will be made to the Chief of Police or to the officer acting in the Chief's absence. This will be followed by a written report no later than the following work day. Information shall include the date, location, cause, extent of injuries and property damage. Serious injury in this instance means an injury could result in death or disability.

(B) **Non-Serious Injury.** In cases where the injuries are other than of a serious nature, a written report will be submitted on the **first (1st) work day** following the incident including all information required above. These reports are in addition to those accident and sick reports otherwise required.

(C) **Death of Member or Employee.** Any member or employee receiving notice of the death of any member, employee or retired member during regular business hours shall notify the Chief of Police. At other times, the officer in charge shall be notified and he shall relay such information to the Chief of Police.

(D) **Notification of Family.** The family of a member or employee injured or dying on duty shall be notified immediately by the senior available officer.

30-2-43 INVESTIGATIONS, ARRESTS AND DETENTIONS.

(A) **Command of Scene.** At the scene of any crime, accident or other police incident, the ranking officer present shall assume command and direction of police personnel in such a manner as to assure the most orderly and efficient accomplishment of the police task. When **two (2)** or more officers of the same rank

are present and one of these is assigned to the investigative detail that will follow up the investigation, that ranking officer will be in charge. This provision is intended to provide for the coordination of the efforts of the several subordinate members who may be assigned to the incident; therefore, it is incumbent upon the ranking officer assuming such control to become acquainted with the facts and insure that appropriate action is being taken or is initiated.

(B) **General Responsibilities of Members at Crime Scenes.** The first member to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- (1) Summoning medical assistance and administering first aid as required to prevent further injury or loss of life.
- (2) Arrest of violator(s).
- (3) Security of the scene and to prevent the damage, destruction or loss of any evidence at the crime scene.

(C) **Responsibilities of Assigned Member at Crime Scene.** The members officially assigned to perform the preliminary or other investigation of an alleged crime or other incident are responsible for the duties in paragraph (B) of this Section as they may be necessary, and the completion of the preliminary or other investigation as directed. This shall include (but is not necessarily limited to), securing statements and other information which will aid in the successful completion of the investigation and locating, collecting and preserving physical evidence material to the issue.

(D) **Relief of Member Conducting Preliminary Investigation.** Upon completion of the preliminary investigation, the assigned officer shall stand relieved unless otherwise directed.

(E) **Identification as Police Officer.** Except when impractical or unfeasible, or where the identity is obvious, officers shall identify themselves by displaying the departmental badge or identification card before taking police action.

(F) **Arrests.** In making arrests, members shall strictly observe the laws of arrest and the following provisions:

- (1) Only necessary restraint to assure safe custody and the safety of the officer shall be employed.
- (2) The arresting officer is responsible for the safety and protection of the arrested person while in his custody. He shall notify the transporting officers of any injury, apparent illness or other conditions which indicate that the arrested person may need special care.
- (3) The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his control at the time of arrest. Except for vehicles, this responsibility transfer to the transporting officers when they accept custody of the arrested person.

(G) **Custody of Prisoners.** Officers charged with the custody of prisoners shall observe all laws and departmental orders regarding this activity.

Prisoners shall be kept securely, treated firmly and humanely, and shall not be subjected to unnecessary restraint.

(H) **Transportation of Prisoners.** Officers transporting prisoners shall do so in accordance with departmental policy. All prisoners conveyed in a police vehicle shall be searched for weapons/contraband before being placed in a car.

Prisoners requiring medical attention shall be delivered to the appropriate emergency hospital and the transporting officers shall be responsible for the security of the prisoner until properly relieved by a guard officer unless otherwise directed by a superior officer.

Prisoners and their property shall be surrendered at the jail to custodial officers or as otherwise directed by competent authority.

Any prisoner transported to a hospital in a private ambulance shall be accompanied and guarded by an officer unless police exigencies dictate otherwise. In the latter case, a guard will be arranged for the prisoner as soon as possible.

(I) **Use of Physical Force.** Malicious assaults or batteries committed by members constitute gross misconduct. The use of physical force shall be restricted to circumstances specified by law when necessary to accomplish a police task successfully. Whenever a member, either on or off duty, is required to strike or use considerable physical force against another person, he immediately shall call a superior officer to the scene, or if not practical, contact him as soon as possible following the incident and submit a written report to the Chief of Police.

(J) **Reports and Bookings.** No member or employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on records of the Department.

(K) **Press Relations at Crime Scene.** Insofar as is consistent with sound police practice, members in control of a crime scene shall grant access and supply information regarding the incident to the working press. Whenever a member feels that release of information or access to the scene is contrary to sound police practice, he shall refer the press to the Chief of Police for further decision.

(L) **Security of Departmental Business.** Members and employees shall not reveal police information outside the Department except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other information ordinarily accessible only to members and employees and names of informants, complainants, witnesses, and other persons known to the police are considered confidential. Silence shall be employed to safeguard confidential information. Violation of the security of this type of information reflects gross misconduct.

(M) **Compromising Criminal Cases.** Members and employees shall not interfere with the proper administration of criminal justice.

Members and employees shall not attempt to interrupt legal process except where a manifest injustice might occur, nor participate in or be concerned with any activity which might interfere with the process of law.

Except in the interest of justice, members and employees shall not attempt to have any traffic citation or notice to appear reduced, voided or stricken from the calendar.

Any employee or member having knowledge of such action and failing to inform his superior officer thereof shall be subject to charges.

(N) **Assisting Criminals.** Members and employees shall not communicate in any manner, either directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.

(O) **Recommending Attorneys is Prohibited.** Members and employees shall not suggest, recommend, advise or otherwise counsel the retention of any attorney to any person coming to their attention as a result of police business.

This does not apply when a relative of the member seeks such service.

In no case may such advice be given where a fee, gratuity, or reward is solicited, offered or accepted from the attorney.

Soliciting business for an attorney is gross misconduct.

(P) **Acting as Bailer Prohibited.** Members and employees cannot act as bailers for any person in custody except relatives, and in no case where any fee, gratuity or reward is solicited or accepted.

30-2-44 PUBLIC ACTIVITIES.

(A) **Publicity.** Members and employees shall not seek personal publicity in the course of their employment.

(B) **Commercial Testimonials.** Members and employees shall not permit their names and photographs to be used to endorse any product or service which is in any way connected with law enforcement without the permission of the Chief of Police. They shall not, without the permission of the Chief of Police, allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the Department.

(C) **Public Appearance Requests.** All requests for public speeches, demonstrations and the like will be routed to the Chief of Police for approval and processing. Members and employees directly approached for this purpose shall suggest that the party submit his request to the Chief of Police.

(D) **Outside Employment.** Prior to engaging in any outside business or employment, the member or employee shall submit a request for permission to do so to the Chief of Police. The decision of the Chief of Police to issue or deny permission to work outside the Department is final.

(E) **Membership in Organizations.** Except for the Armed Forces Reserve components, members and employees shall not affiliate themselves with any organization or group, the constitution or by-laws of which in any way exacts prior consideration or which would prevent its members from rendering proper and efficient service to the Department.

(F) **Subversive Organizations.** No member or employee shall knowingly become a member of or connected with any subversive organization, except when necessary in the performance of duty and then only under the direction of the Chief of Police.

(G) **Personal Preferment.** No member or employee may seek the influence or intervention of any person outside the Department for purposes of personal preference, advantage, transfer, or advancement.

(H) **Conduct Toward Public.** Members and employees shall be courteous and orderly in their dealings with the public. They shall perform their duties quietly, avoiding harsh, violent, profane, or insolent language, and shall always remain calm regardless of provocation to do otherwise. Upon request, they are required to supply their name and badge or DSN in a courteous manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other parts of the Department.

(I) **Impartial Attitude.** All members, even though charged with vigorous and unrelenting enforcement of the law, must remain completely impartial toward all persons coming to the attention of the Department. Violations of the law are against the people of the State and not against the individual officer. All citizens are guaranteed equal protection under law. Exhibiting partiality for or against a person because of race, creed or influence is conduct unbecoming an officer. Similarly, unwarranted interference in the private business of others when not in the interest of justice is conduct unbecoming an officer.

(J) **Caring for Lost, Helpless, Injured or Ill Persons.** Members shall always be alert to assist lost, helpless, injured or ill persons. Every member is charged with maintaining a proficiency in first aid techniques authorized by the American Red Cross and Cardio-Pulmonary Resuscitation (CPR).

(K) **Availability When on Duty.** Members on duty shall not conceal themselves, except for some police purpose. They shall be immediately and readily available to the public during duty hours.

(L) **Responding to Calls.** Members of the Department shall respond without delay to all calls for police assistance from citizens or other members. Emergency calls take precedence; however, all calls shall be answered as soon as possible consistent with normal safety precautions and vehicle laws. Failure to answer a call for police assistance promptly, without justification, is misconduct. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no member shall fail to answer any landwire or radio call directed to him. The communications center will be informed when leaving the air and when returning to a duty status, and when a car is leaving and returning to the Village limits.

30-2-45 JUDICIAL AND INVESTIGATIVE ACTIONS, APPEARANCES AND TESTIFYING.

(A) **Court Appearances.** Attendance at a court or quasi-judicial hearing as required by subpoena is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court official. When appearing in court either the official uniform or clothing conforming to standards imposed on officers working in plain clothes shall be worn. Weapons will not be displayed unless wearing the uniform. Members shall present a

neat and clean appearance, avoiding any mannerism which might imply disrespect to the court, such as gum chewing and smoking.

(B) **Testifying for the Defendant.** Any member or employee subpoenaed to testify for the defense in any trial or hearing, or against the Village or Department in any hearing or trial, shall notify the Chief of Police upon receipt of the subpoena. He shall notify the governmental attorney.

(C) **Departmental Investigation – Testifying.** Members or employees are required to answer questions by or render material and relevant statements to a competent authority in a departmental personnel investigation when so directed.

(D) **Truthfulness.** Members and employees are required to be truthful at all times whether under oath or not.

(E) **Civil Action Interviews.** Civil action interviews involving members or employees which arise out of departmental employment shall be conducted according to current departmental directives.

(F) **Civil Action, Court Appearances – Subpoenas.** A member or employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed. Members and employees will not accept all subpoenas legally served. If the subpoena arises out of departmental employment or if the member or employee is informed that he is a party to a civil action arising out of departmental employment, he shall immediately notify his Chief of Police and the governmental attorney of the service or notification, and of the testimony he is prepared to give. Members and employees shall not enter into any financial understanding for appearances as witnesses prior to any trial, except in accordance with current directives.

(G) **Civil Dispositions and Affidavits.** Members and employees shall confer with the Chief of Police before giving a deposition or affidavit on a civil case.

(H) **Civil Cases.** Members shall not serve civil process or assist in civil cases unless the specific consent of the Chief of Police is obtained. They shall avoid entering into civil disputes, particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such cases.

ARTICLE III

EMERGENCY SERVICES AND DISASTER AGENCY (ESDA)

30-3-1 POLICY AND PROCEDURES.

(A) Because of the possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from the explosion in this or in a neighboring municipality of atomic or other means from without, or by means of sabotage or other disloyal actions within, or from fire, flood, earthquake, or other natural or man-made causes, and in order to insure that this municipality will be prepared to and will adequately deal with any such disasters, preserve the lives and property of the people of this municipality and protect the public peace, health and safety in the event of such a disaster, it is found and declared to be necessary:

- (1) To create a municipal emergency services and disaster agency;
- (2) To confer upon the Mayor the extraordinary power and authority set forth under Article I of this Chapter (**65 ILCS Sec. 5/11-1-6**).
- (3) To provide for the rendering of mutual aid to other cities and political subdivisions with respect to the carrying out of emergency services and disaster operations.

(B) Whenever the Mayor determines after an investigation that a dangerous situation or a potentially dangerous situation exists which could cause death to individuals or serious injury to property or the health and welfare of public, the Mayor may declare that a state of emergency exists. The extraordinary powers may not be exercised until an ordinance shall have been adopted which shall establish standards for the determination by the Mayor of when the state of emergency exists and shall provide that the Mayor may not exercise such extraordinary power and authority except after signing under oath a statement finding that such standards have been met, setting forth facts to substantiate such findings, describing the nature of the emergency and declaring that a state of emergency exists. This statement shall be filed with the Clerk of the municipality as soon as practical. A state of emergency shall expire not later than the adjournment of the first regular meeting of the corporate authorities after the state of emergency is declared. A subsequent state of emergency may be declared if necessary.

(C) It is further declared to be the purpose of this Code and the policy of the municipality that all emergency management programs of this municipality be coordinated to the maximum extent with the comparable functions of the federal and state governments, including their various departments and agencies, of other municipalities and localities and private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster that may occur.

30-3-2 **LIMITATIONS.** Nothing in this Code shall be construed to:

(A) Interfere with the course or conduct of a private labor dispute, except that actions otherwise authorized by this Code or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;

(B) Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be requested to transmit or print public service messages furnishing information or instructions in connection with a disaster;

(C) Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state and local emergency operations plans shall place reliance upon the forces available for performance of functions related to disaster emergencies;

(D) Limit, modify, or abridge the authority of the Mayor and the Village Board to exercise any other powers vested in them under the constitution, statutes, or common law of this State, independent of or in conjunction with any provisions of this Code.

30-3-3 **DEFINITIONS.** As used in this Code, unless the context clearly indicates otherwise, the following words and terms shall have the definitions hereinafter ascribed:

(A) **Coordinator** means the staff assistant to the Mayor with the duty of carrying out the requirements of this Code.

(B) **Disaster** means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, explosion, critical shortages of essential fuels and energy, riot, or hostile military or paramilitary action.

(C) **Emergency Management** means the efforts of this municipality to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation.

(D) **Emergency Operations Plan** means the written plan of the municipality describing the organization, mission and functions of the government and supporting services for responding to and recovery from disasters.

(E) **Emergency Services** means the preparation for and the carrying out of such functions, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair and alleviate injury and damage resulting from disasters caused by fire, flood, earthquake, or other man-made or natural causes. These functions including, without limitation, fire-fighting services, police services, emergency aviation services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other

special weapons defense, evacuation of persons from stricken areas, emergency assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life or property.

(F) **Political Subdivision** means any county, city, village, or incorporated town.

30-3-4 EMERGENCY SERVICES AND DISASTER AGENCY.

(A) There is hereby created an emergency services and disaster agency and a coordinator of the emergency services and disaster agency, herein called the "coordinator", who shall be the head thereof. The coordinator shall be appointed by the Mayor with the advice and consent of the Board. He shall serve at the pleasure of the Mayor.

(B) The Emergency Services and Disaster Agency shall obtain, with Board approval, such technical, clerical, stenographic and other administrative personnel, and may make such expenditures within their appropriation therefor as may be necessary to carry out the purpose of this Code.

(C) The coordinator, subject to the direction and control of the Mayor, shall be the executive head of the Municipal Emergency Service and Disaster Agency, and shall be responsible under the direction of the Mayor for carrying out the program for emergency services and disaster operations of this municipality. He shall coordinate the activities of all organizations for emergency services and disaster operations within this municipality and shall maintain liaison, and cooperate with, the civil defense and emergency management agencies and organization of the county, other counties and municipalities, and of the federal and state government.

In the event of the absence, resignation, death, or inability to serve by the coordinator, the Mayor or any persons designated by him, shall be and act as coordinator until a new appointment is made as provided in this Code.

(D) The Municipal Emergency Services and Disaster Agency shall take an integral part in the development and revision of the local emergency operations plan.

(E) In the development of the emergency operations plan, the municipal emergency services and disaster agency shall interrelate with business, labor, industry, agriculture, civic and volunteer organizations, and community leaders.

(F) The Municipal Emergency Services and Disaster Agency shall:

- (1) Determine the requirements of the municipality for food, clothing and other necessities in the event of an emergency;
- (2) Develop an Emergency Operations Plan that meets the standards promulgated by the Illinois Emergency Management Agency;
- (3) Biannually review and revise the local Emergency Operations Plan;
- (4) Establish a register of persons with types of training and skills in emergency prevention, preparedness, response and recovery;

- (5) Establish a register of government and private response resources available for use in a disaster;
- (6) Prepare, for issuance by the Mayor, ordinances, proclamations and regulations as necessary or appropriate in coping with disasters.
- (7) Cooperate with the federal, state and county government and any public or private agency or entity in achieving any purpose of this Code and in implementing programs for disaster prevention, preparation, response and recovery;
- (8) Initiate and coordinate planning for:
 - (a) The establishment of an emergency operating center;
 - (b) The implementation of a 911 system.
- (9) Do all other things necessary, incidental or appropriate for the implementation of this Code.

30-3-5 EMERGENCY SERVICES AND DISASTER POWERS OF THE
MAYOR.

(A) The Mayor shall have the general direction and control of the emergency services and disaster agency, and shall be responsible for the carrying out of the provisions of this Code.

(B) In performing his duties under this Code, the Mayor is authorized to cooperate with state and federal governments and with other municipalities and political subdivisions in all matters pertaining to emergency services and disaster operations defined in this Code.

(C) In performing his duties under this Code, the Mayor is further authorized:

- (1) To make, amend and rescind all lawful necessary orders, rules and regulations of the local disaster plan to carry out the provisions of this Code within the limits of the authority conferred upon him.
- (2) To cause to be prepared a comprehensive plan and program for the emergency management of this municipality which plan and program shall be integrated into and coordinated with disaster plans of the state and federal governments and other political subdivisions, and which plan and program may include:
 - (a) Prevention and minimization of injury and damage caused by disaster;
 - (b) Prompt and effective response to disaster;
 - (c) Emergency relief;
 - (d) Identification of areas particularly vulnerable to disasters;
 - (e) Recommendations for zoning, building and other land-use controls, safety measures for securing permanent

- structures and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact;
- (f) Assistance to local officials in designing local emergency action plans;
 - (g) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage or loss from flood, conflagration or other disaster;
 - (h) Organization of municipal manpower and chains of command;
 - (i) Coordination of local emergency management activities;
 - (j) Other necessary matters.
- (3) In accordance with such plan and program for the emergency management of this municipality, and out of funds appropriated for such purposes, to procure and preposition supplies, medicines, materials and equipment to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of emergency services and disaster organizations in advance of actual disaster to insure the furnishing of adequately trained and equipped forces for disaster operations.
- (4) Out of funds appropriated for such purposes, to make such studies and surveys of the industries, resources and facilities in this municipality as may be necessary to ascertain the capabilities of the municipality for the emergency management phases of preparedness, response, and recovery, and to plan for the most efficient emergency use thereof.

(D) The Mayor is authorized to designate space in a municipal building, or elsewhere for the emergency services and disaster agency as its office.

30-3-6 FINANCING.

(A) It is the intent of the Village Board and declared to be the policy of the municipality that every effort shall be made to provide funds for disaster emergencies.

(B) It is the Village Board's intent that the first recourse shall be to funds regularly appropriated to the agency. If the Mayor finds that the demands placed upon these funds in coping with a particular disaster are unreasonably great, and the Governor has proclaimed the municipality a disaster, he may make application for funds from the state disaster relief fund. If monies available from the fund are insufficient, and if the Mayor finds that other sources of money to cope with the disaster are not

available or are insufficient, he shall issue a call for an immediate session of the Village Board for the purpose of enacting ordinances as the Village Board may deem necessary to transfer and expend monies appropriated for other purposes, or borrow monies from the United States Government or other public or private sources. If less than a quorum of the members of the Village Board is capable of convening in session to enact such ordinances for the transfer, expenditure or loan of such monies, the Mayor is authorized to carry out those decisions until such time as a quorum of the Village Board can convene.

(C) Nothing contained in this Section shall be construed to limit the Mayor's authority to apply for, administer and expend grants, gifts, or payments in aid of disaster prevention, preparedness, response or recovery.

30-3-7 LOCAL DISASTER EMERGENCIES.

(A) A local disaster emergency may be declared only by the Mayor or Village Board. If declared by the Mayor, it shall not be continued for a period in excess of **seven (7) days** except by or with the consent of the Village Board. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity, and shall be filed promptly with the municipal clerk.

(B) The effect of a declaration of a local disaster emergency is to activate any and all applicable local emergency operations plans and to authorize the furnishing of aid and assistance thereunder.

(C) During a local disaster emergency, the Mayor may suspend the provisions of any municipal ordinance prescribing procedures for the conduct of municipal business, or the orders, rules and regulations of any municipal agency, if strict compliance with the provisions of any ordinance, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency, as authorized by "**The Illinois Emergency Management Agency Act**", provided that, if the Village Board meets at such time, he shall act subject to the directions and restrictions imposed by that body.

30-3-8 TESTING OF DISASTER WARNING DEVICES. The testing of disaster devices including outdoor warning sirens shall be held only on the first Tuesday of each month at **10 o'clock** in the morning.

30-3-9 MUTUAL AID ARRANGEMENTS BETWEEN POLITICAL SUBDIVISIONS. The coordinator for emergency services and disaster operations may, in collaboration with other public agencies within his immediate vicinity, develop or cause to be developed mutual aid arrangements with other political subdivisions, municipal corporations or bodies politic within this state for reciprocal disaster response and recovery in case a disaster is too great to be dealt with unassisted. The mutual aid shall not, however, be effective unless and until approved by each of such political subdivisions, municipal corporations or bodies politic as are parties thereto, in the

manner provided by law, and unless and until filed with and approved in writing by the state director. Such arrangements shall be consistent with the state and local emergency management operations plan and program, and in the event of such disaster as described in **Section 30-3-3** of this Code, it shall be the duty of each local and department for emergency services and disaster operations to render assistance in accordance with the provisions of such mutual aid arrangements.

30-3-10 COMMUNICATIONS. The local Emergency Services and Disaster Agency shall ascertain what means exist for rapid and efficient communications in times of disaster emergencies. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive system or network. In studying the character and feasibility of any system or its several parts, the agency shall evaluate the possibility of multipurpose use thereof for general municipal and local governmental purposes. The agency shall make recommendations to the Mayor as appropriate.

30-3-11 IMMUNITY. Neither the municipality, the agency or any member thereof or any person acting at their direction, engaged in any emergency services and disaster operations or disaster activities, while complying with or attempting to comply with this Code or any rule or regulations promulgated pursuant to this Code is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This section does not, however, affect the right of any person to receive benefits to which he would otherwise be entitled under this act under the Worker's Compensation Act or the Worker's Occupational Diseases Act, or under any pension law, and this Section does not affect the right of any such person to receive any benefits or compensation under any Act of Congress.

30-3-12 PROFESSIONS, TRADES AND OCCUPATIONS. If such disaster as is described in **Section 30-3-3** occurs in this municipality and the services of persons who are competent to practice any profession, trade or occupation are required in this municipality to cope with the disaster situation and it appears that the number of persons licensed or registered in this municipality to practice such profession, trade or occupation may be insufficient for such purpose, then any persons who are licensed elsewhere to practice any such profession, trade or occupation may, if a member of another political subdivision rendering aid in this municipality pursuant to the order of the head of that political subdivision and upon the request of the municipality, or if otherwise requested so to do by the Mayor or the coordinator of this municipality, during the time the disaster condition continues, practice such profession, trade or occupation in this municipality without being licensed or registered in this municipality.

30-3-13 APPROPRIATIONS AND LEVY OF TAX. The Village Board may make appropriations for emergency services and disaster operations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision. The Village Board may also levy for emergency services and disaster operations a tax not to exceed **.05%** of the full, fair cash value as equalized or assessed by the Department of Revenue on all taxable property in the municipality for the current year. However, the amount collectible under such a levy shall in no event exceed **Twenty-Five Cents (\$0.25)** per capita. The annual tax shall be in addition to and in excess of the amount authorized to be levied for general corporate purposes.

30-3-14 AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS OR LOANS. Whenever the federal or state governments, or any agency or officer thereof, or whenever any person, firm or corporation shall offer to the municipality services, equipment, supplies, materials or funds by way of gift or grant for purposes of emergency management, the municipality, acting through the Mayor or through its Village Board, may accept such offer and upon such acceptance the Mayor or the Village Board may authorize any officer of the municipality to receive such services, equipment, supplies, materials or funds on behalf of the municipality.

30-3-15 ORDERS, RULES AND REGULATIONS.

(A) The Mayor shall file a copy of every rule, regulation or order and any amendment thereof made by him pursuant to the provisions of this Code in the office of the Municipal Clerk. No such rule, regulation or order, or any amendment thereof, shall be effective until **ten (10) days** after such filing; provided, however, that upon the declaration of such a disaster emergency by the Mayor as is described in **Section 30-3-7**, the provision relating to the effective date of any rule, regulation order or amendment issued pursuant to this Code and during the state of such disaster emergency, is abrogated, and said rule, regulation, order or amendment shall become effective immediately upon being filed with the Municipal Clerk, accompanied by a certificate stating the reason for the emergency.

(B) The Emergency Services and Disaster Agency established pursuant to this Code, and the coordinator thereof, shall execute and enforce such orders, rules and regulations as may be made by the Governor under authority of the Illinois Emergency Management Agency Act. The local Emergency Services and Disaster Agency shall have available for inspection at its office all orders, rules and regulations made by the Governor, or under this authority. The State Emergency Management Agency shall furnish such orders, rules and regulations to the agency.

30-3-16 UTILIZATION OF EXISTING AGENCY, FACILITIES AND PERSONNEL. In carrying out the provisions of this Code, the Mayor and the coordinator of the emergency services and disaster agency are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies

of the municipality to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities to the coordinator and the emergency services and disaster agency.

30-3-17 NO PRIVATE LIABILITY.

(A) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or a mock or practice disaster response activity together with his successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property of such person.

(B) Any private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with, and under the direction of, the municipality under the provisions of this Code, shall not be civilly liable for causing death of, or injury to, any person or damage to any property except in the event of willful misconduct.

(C) Any private person, firm or corporation, and any employee or agency of such person, firm or corporation, who renders assistance or advice at the request of the municipality, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct. The immunities provided in Subsection (C) shall not apply to any private person, firm or corporation, or to any employee or agent of such person, firm or corporation whose act or omission caused in whole or in part such actual or impending disaster and who would otherwise be liable therefore.

30-3-18 SUCCESSION. In the event of the death, absence from the municipality or other disability of the Mayor preventing him from acting under this Code or for any other municipal purpose, and until the office is filled in the manner prescribed by law, the coordinator of the emergency services and disaster agency shall succeed to the duties and responsibilities of the Mayor.

30-3-19 COMPENSATION. The Village Board, by its annual appropriations ordinance, may provide for the payment of the salary of the coordinator and such other office staff and personnel as may be expressly provided for in the ordinance. Nothing herein contained shall prohibit any member of the agency from receiving compensation from the State of Illinois Emergency Management Agency under any provisions of that agency.

30-3-20 PERSONNEL OATH. Each person, whether compensated or noncompensated, who is appointed to serve in any capacity in the municipal Emergency Service and Disaster Agency, shall, before entering upon his duties, take an oath, in writing, before the coordinator of the municipal Emergency Service and Disaster Agency before a person authorized to administer oaths in this municipality, which oath shall be filed with the coordinator of the Emergency Services and Disaster Agency, and which oath shall be substantially as follows:

"I, _____ do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I, nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time I am affiliated with the Village, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

30-3-21 EMERGENCY TERMINATION OR REDUCTION OF ELECTRICAL SERVICE.

(A) **Declaration of Emergency Condition.** When in the judgment of the Mayor or Village Board, as provided herein in **Section 30-4-7(A)**, a local disaster emergency requires the termination or reduction of electrical service, the Mayor or Village Board shall forthwith declare in writing the existence of the emergency condition and order the termination or reduction.

30-3-22 PENALTY. Any person convicted of violating this Code or any order thereunder shall be punished by a fine of not exceeding **Seven Hundred Fifty Dollars (\$750.00)**.

(See 20 ILCS Sec. 3305/1 et seq.)

ARTICLE IV - FIRE DEPARTMENT

DIVISION I - REGULATIONS

30-4-1 ADOPTION OF FIRE CONTROL MEASURES AND REGULATIONS. There is hereby adopted by the Village of Hartford, the fire control measures and regulations as herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.

30-4-2 AUTHORITY AT FIRES AND OTHER EMERGENCIES. The Fire Chief or his duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The Fire Chief may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Chief may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the Fire Chief. **(Ord. No. 75-0-9)**

30-4-3 INTERFERENCE WITH FIRE DEPARTMENT OPERATIONS. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of any Fire Department emergency vehicle in any way, or to interfere with, attempt to interfere, conspire to interfere with, obstruct or hamper any Fire Department operation.

30-4-4 COMPLIANCE WITH ORDERS. A person shall not willfully fail or refuse to comply with any lawful order or direction of the Fire Chief or to interfere with the compliance attempts of another individual.

30-4-5 VEHICLES CROSSING FIRE HOSE. A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alley-way, private drive or any other vehicular roadway without the consent of the Fire Chief in command of said operation.

30-4-6 INTERFERENCE WITH EMERGENCY VEHICLES. Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle shall have passed, unless otherwise directed by the Fire Chief of a police officer.

30-4-7 VEHICLES FOLLOWING FIRE APPARATUS. It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than **three hundred (300) feet** from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

38-4-8 UNLAWFUL BOARDING OR TAMPERING WITH FIRE DEPARTMENT EMERGENCY EQUIPMENT. A person shall not without proper authorization from the Fire Chief in charge of said Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board, or swing upon any Fire Department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any Fire Department emergency vehicle.

30-4-9 DAMAGE, INJURY—FIRE DEPARTMENT—EQUIPMENT, PERSONNEL. It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any Fire Department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure Fire Department personnel while performing departmental duties.

30-4-10 EMERGENCY VEHICLE OPERATION. The driver of any emergency vehicle, as defined in **Section 30-4-5** of this Article, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from a fire. Tactical strategies such as, but not restricted to, "moving-ups" do not constitute an emergency call. The driver of an emergency vehicle may:

- (A) Park or stand irrespective of the provisions of existing traffic regulations;
- (B) Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation;

(C) Exceed the prima facie speed limit so long as he does not endanger life or property;

(D) Disregard regulations governing direction of movement or turning in specified directions;

(E) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonable necessary, and when the vehicle is equipped with at least **one (1)** lighted lamp displaying a red light visible under normal atmospheric conditions from distance of **five hundred (500) feet** to the front of such vehicle.

30-4-11 BLOCKING FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes, or on private property.

If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the Fire Chief shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal Treasury on certificate of the Fire Chief and with the approval of the Chief Administrative Official; and the legal authority of the Municipality shall institute appropriate action for the recovery of such costs.

30-4-12 HYDRANT USE APPROVAL. A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless such person first secures a permit for such use from the Fire Official and the Water Company having jurisdiction. This Section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the Water Company having jurisdiction.

30-4-13 PUBLIC WATER SUPPLY. The Fire Chief shall, with the approval of the Board of Trustees, recommend to the Chief Administrative Official of the Municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the Fire Chief.

30-4-14 **PRIVATE HYDRANTS.** All new and existing river docking facilities, oil storage plants, lumber yards, amusement or exhibition parks, and educational or institutional complexes and similar occupancies and uses involving high fire, or life hazards, and which are located more than **one hundred fifty (150) feet** from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Chief and shall be connected to a water system in accordance with this Code. The Fire Chief shall, with the approval of the Board of Trustees, designate and approve the number and location of fire hydrants and may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Chief.

30-4-15 **MAINTENANCE OF FIRE SUPPRESSION EQUIPMENT.** A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code except for the purpose of extinguishing fire, training, or testing purposes, recharging, or making necessary repairs, or when permitted by the Fire Chief. Whenever a fire appliance is removed as herein permitted, it shall be replaced or re-installed as soon as the purpose of which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Chief.

30-4-16 **STREET OBSTRUCTIONS.** A person or persons shall not erect, construct, place, or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street, within the boundaries of the Village. The word "**street**" as used in this Chapter, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lands, as well as all public streets and highways within the boundaries of the Municipality.

30-4-17 **EMERGENCY RESPONSE BILLING.** The billing shall be calculated as follows:

(A) **One (1) hour** on-scene time would be the minimum call out for all incidents.

(1) The rate per each emergency response vehicle per hour is **Two Hundred Fifty Dollars (\$250.00)**.

(2) The rate per each firefighter per hour is **Thirty-Five Dollars (\$35.00)**.

(3) After the first hour, vehicle and personnel hours on the scene shall be entered in quarter hour increments.

(B) All incidents, motor vehicle incidents and vehicle fires where Fire Department units (including mutual aid units) arrive on the scene will be billed.

(1) Vehicle owners will not be billed if they have an address within the Village, or the vehicle is owned or leased by a business with an address within the Village.

(2) Vehicle owners will not be billed if the Fire Department does not accomplish any work at the scene or in relationship to a given vehicle.

(C) Types of work to be contemplated to be billed would include, but not be limited to the following: Fire extinguishment, extrication, or packaging.

(Ord. No. 12-245; 03-20-12)

30-4-18 - 38-4-19 **RESERVED.**

(65 ILCS 5/11-6-1)

DIVISION II – ADMINISTRATION

30-4-20 **MEMBERSHIP – ORGANIZATION.** The Fire Department shall consist of so many members as may be decided upon by the Volunteer Firemen's Association. The Secretary of the Volunteer Firemen shall keep a record of all meetings and shall keep a report. No officer shall be elected or appointed to the organization of the Volunteer Fire Department without the approval of the Mayor and Village Board.

30-4-21 **RECORDS.** The Fire Chief shall keep or cause to be kept a record of all meetings of the company and the attendance of the members, including a record of all fires.

30-4-22 **ENFORCEMENT OF CODE.** It shall be the duty of all officers of the Fire Department and all police officers of the Village to see that the provisions of this Chapter are enforced and to arrest on view any person who shall be found violating any of the provisions of this Chapter or who shall hinder, resist or refuse to obey any such officer in the discharge of his duty, and to that end, all such officers are hereby vested with the usual power and authority of police officers.

30-4-23 **MUTUAL AID.** The Village Fire Department may, with the advice and consent of the Mayor and the Village Board enter into mutual aid fire agreements with neighboring municipalities and fire departments.

(A) **MABAS.** The Village does hereby enter into an agreement for Mutual Aid Box Alarm System with the Madison County Fire Chiefs Association as provided in Appendixes "A" and "B". **(Ord. No. 2001-143; 10-16-01)**

30-4-24 - 30-4-26 **RESERVED.**

DIVISION III - HAZARDOUS MATERIALS COST RECOVERY

30-4-27 ADOPTION BY REFERENCE. The Illinois Hazardous Material Emergency Response Reimbursement Act, currently **430 ILCS 55-1 et seq.**, by and is hereby adopted and incorporated by reference to the provisions of this Code, including the definitions contained within such Act, currently in Section 55-3 of the Act.

30-4-28 DEFINITIONS. The "responsible party", as defined in the Act, shall have the duty to reimburse the Village in a timely and reasonable manner for an emergency response to a Hazardous Material Emergency Incident on the part of the Village and any of its supporting agencies and other local governments, and for any private contractor responding to the incident at the request of the Village for the costs incurred in the course of providing such emergency action.

30-4-29 REPLACEMENT COSTS REIMBURSEMENT. Such costs and fees shall include replacement costs of materials, use of materials, reimbursement of salaries expended by the Village, and shall further include mutual aid departments used to assist in the handling of mitigation of hazards.

30-4-30 MITIGATING HAZARDS BY FIRE CHIEF. The Fire Chief, or his designated representative, shall further have the right to take immediate action to mitigate or abate immediate hazard, including the seizure of property, the expenses of which shall be the responsibility of the property owner.

30-4-31 LIENS FOR UNPAID COSTS. If the costs associated with the aforementioned emergency response are not paid to the Village in a timely manner, the response, mitigation, and abatement costs shall become a lien on the affected property.

30-4-32 NOTIFICATION OF OWNERS. Affected persons and property owners shall be notified of such lien as soon as possible.

(Ord. No. 2001-144; 11-20-01)